

COMMITTEE ON ACADEMIC AND WORKFORCE SUCCESS

A G E N D A

10:00 A.M., Wednesday, January 24, 2024

*(or upon adjournment of the Committee on Innovation, Data, and Educational
Analytics meeting, whichever occurs later)*

Live broadcast available at: highered.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: Donna N. Williams

Vice Chair: Emma W. Schwartz

Members: Richard L. Clemmer; Fred Farias III, O.D.; Ashlie Thomas; Daniel O. Wong

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

COMMITTEE ON ACADEMIC AND WORKFORCE SUCCESS

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. Welcome and committee chair's meeting overview
- II. Consideration and possible action to adopt the minutes for the October 25, 2023, committee meeting
- III. Public testimony on items relating to the Committee on Academic and Workforce Success
- IV. Consideration and possible action to adopt the consent calendar
- V. Matters relating to the Committee on Academic and Workforce Success
 - A. 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)
 - B. 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")
 - C. 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
 - D. Consideration and possible action to approve a resolution on the request by Barbers Hill ISD/Lee College regarding a branch campus maintenance tax election and branch campus approval
 - E. Consideration and possible action to approve awards over \$5 million for the Graduate Medical Education Expansion Grant Program
 - F. 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

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

THE UNIVERSITY OF TEXAS AT EL PASO

(1) Doctor of Philosophy (PhD) in Physics

THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON

(2) Doctor of Nursing Practice (DNP) in Nurse Anesthesia

THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY

(3) Doctor of Philosophy (PhD) in Computer Science with Interdisciplinary Applications

- H. Proposed changes to Texas Administrative Code Board Rules:

(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, Sections 4.191-4.192, concerning institutional accreditation requirements

(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

(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

(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

(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

(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

(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

(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

(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

VI. Adjournment

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

Note: *Because the Board members who attend the committee meeting may create a quorum of the full Board, the meeting of the Committee on Academic and Workforce Success is also being posted as a meeting of the full Board. Only assigned committee members act upon any item before the Committee on Academic and Workforce Success at this 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 Section 46.05 in the room or rooms where a meeting of a governmental entity is held, if the meeting is an open meeting subject to Chapter 551, Government Code, and if the entity provided notice as required by that chapter.*

Committee on Academic and Workforce Success

AGENDA ITEM I

Welcome and committee chair's meeting overview

Donna Williams, chair of the Committee on Academic and Workforce Success, will provide the committee an overview of the items on the agenda.

Committee on Academic and Workforce Success

AGENDA ITEM II

Consideration and possible action to adopt the minutes for the October 25, 2023, committee meeting

RECOMMENDATION: Approval

TEXAS HIGHER EDUCATION COORDINATING BOARD

DRAFT MINUTES

Committee on Academic and Workforce Success

Barbara Jordan Building (room 2.035)

1601 N. Congress Ave., Austin

October 25, 2023, 9:50 am

The Texas Higher Education Coordinating Board's Committee on Academic and Workforce Success (CAWS) convened at 9:50 a.m. on October 25, 2023, with the following committee members present: Donna Williams, presiding; Fred Farias; Richard Clemmer; Emma Schwartz; Ashlie Thomas; and Daniel Wong
Members absent: Cage Sawyers, Ex-Officio

Other Board members present: Welcome Wilson
Stacy Hock joined the meeting at 10.27am.

AGENDA ITEM	ACTION
I. Welcome and committee chair's meeting overview	Ms. Williams called the meeting to order at 9:50 a.m. All members were present except for Mr. Sawyers. A quorum was met for this committee meeting.
II. Consideration and possible action to adopt the minutes for the July 26, 2023, committee meeting	On motion by Mr. Clemmer, seconded by Ms. Thomas, the committee approved the July 26, 2023, committee meeting minutes. The vote was unanimous.
III. Public testimony on agenda items relating to the Committee on Academic and Workforce Success	There was no public testimony.
IV. Consideration of approval of the consent calendar	On a motion by Dr. Farias, seconded by Mr. Clemmer, the committee approved the consent calendar. The vote was unanimous. Items approved on consent were: 5-D, 5-J, and 5-K
V. Matters relating to the Committee on Academic and Workforce Success	
A. Consideration and possible action to approve receipt of Fiscal Year 2024 Carl D. Perkins Community and Technical Colleges Consolidated Grant mid-year reallocation funds not to exceed \$9.5 million	On motion by Mr. Clemmer, seconded by Ms. Schwartz, the committee approved receipt of Fiscal Year 2024 Carl D. Perkins Community and Technical Colleges Consolidated Grant mid-year reallocation funds not to exceed \$9.5 million. The vote was unanimous. Dr. Tina Jackson, Assistant Commissioner for Workforce Education, presented this item and was available to answer questions

AGENDA ITEM	ACTION
B. Consideration and possible action to adopt the recommendation relating to the revision of the Principles of Good Practice for Academic Degree and Certificate Programs and Credit Courses Offered at a Distance	On motion by Dr. Farias, seconded by Ms. Thomas, the committee adopted the revision of the Principles of Good Practice for Academic Degree and Certificate Programs and Credit Courses Offered at a Distance. The vote was unanimous. Dr. Michelle Singh, Assistant Commissioner for the Division of Digital Learning, presented this item and was available to answer questions
C. Report on activities of the Advisory Council on Postsecondary Education for Persons with Intellectual and Developmental Disabilities (Texas Education Code, Section 61.06641)	Dr. Jennielle Strother, Assistant Commissioner for Student Success, presented this item and was available to answer questions. This item was for information only. Mr. Clemmer departed the meeting.
D. Consideration and possible action to appoint members to the Advisory Council on Postsecondary Education for Persons with Intellectual and Developmental Disabilities	This item was approved on the consent calendar.
E. Report on activities of the Apply Texas Advisory Committee	Dr. Andy Benoit, and Jennifer Beal, co-chairs of the Apply Texas Advisory Committee, presented this item and were available to answer questions. Molly Gully, Director for Advising Strategy, was also available for questions. This item was for information only.
F. Report on activities of the Workforce Education Course Manual (WECM) Advisory Committee	Mr. D'Wayne Shaw, co-chair of the WECM Advisory Committee, presented this item and was available to answer questions. This item was for information only. Ms. Hock joined the meeting.
G. Consideration of Board delegation to the Commissioner for approval of the report required by General Appropriations Act, Senate Bill 1, Article III, Section 47, 87th Texas Legislature, related to the Effectiveness of the Advise TX Program	On motion by Ms. Thomas, seconded by Ms. Schwartz, the committee approved delegation to the Commissioner for approval of the report required by General Appropriations Act, Senate Bill 1, Article III, Section 47, 87th Texas Legislature, related to the Effectiveness of the Advise TX Program. The vote was unanimous. Molly Gully, Director for Advising Strategy, presented this item and was available to answer questions.

AGENDA ITEM	ACTION
H. Consideration and possible action to adopt the recommendation to approve a request from the University of Austin for an initial Certificate of Authority to grant degrees in Texas	On motion by Dr. Wong, seconded by Ms. Schwartz, the committee approved a request from the University of Austin for an initial Certificate of Authority to grant degrees in Texas. The vote was unanimous. Ms. Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, presented this item and was available to answer questions.
I. Consideration and possible action to adopt the recommendation to approve a request from Burrell College of Osteopathic Medicine for its third Certificate of Authority to grant degrees in Texas	On motion by Ms. Schwartz, seconded by Ms. Thomas, the committee approved a request from Burrell College of Osteopathic Medicine for its third Certificate of Authority to grant degrees in Texas. The vote was unanimous. Ms. Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, presented this item and was available to answer questions.
J. 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.
K. Consideration and possible action to adopt the “Community College Transfer Student Report” (General Appropriations Act, House Bill 1, Article III, Section 45, Special Provisions, 88th Texas Legislature, Regular Session)	This item was approved on the consent calendar.
L. Consideration and possible action to delegate authority to the Commissioner of Higher Education to approve and submit the study “Shortages in Certain Health Professions” pursuant to Texas Education Code, Section 61.06691	On motion by Dr. Wong, seconded by Dr. Farias, the committee approved delegation of authority to the Commissioner of Higher Education to approve and submit the study “Shortages in Certain Health Professions” pursuant to Texas Education Code, Section 61.06691. The vote was unanimous. Ms. Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, presented this item and was available to answer questions.
M. Lunch	The committee did not break for lunch.

N. Consideration and possible action to approve the following requests for new degree programs:	
ALAMO DISTRICT-NORTHWEST VISTA COLLEGE (1) Bachelor of Applied Technology (BAT) in Cloud Computing	On motion by Ms. Thomas, seconded by Ms. Schwartz, the committee approved the new degree program. The vote was unanimous. Ms. Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, presented this item and was available to answer questions.
THE UNIVERSITY OF TEXAS AT TYLER (2) Doctor of Nursing Practice (DNP) in Nurse Anesthesia	On motion by Ms. Schwartz, seconded by Dr. Farias, the committee approved the new degree program. The vote was unanimous. Ms. Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, presented this item and was available to answer questions.
THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO (3) Doctor of Nursing Practice (DNP) in Nurse Anesthesia	On motion by Dr. Farias, seconded by Dr. Wong, the committee approved the new degree program. The vote was unanimous. Ms. Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, presented this item and was available to answer questions.
THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER (4) Doctor of Philosophy (PhD) with a major in Public Health	On motion by Ms. Thomas, seconded by Dr. Farias, the committee approved the new degree program. The vote was unanimous. Ms. Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, presented this item and was available to answer questions.
VI. Adjournment	On a motion by Dr. Farias, seconded by Ms. Thomas, the committee adjourned at approximately 11:02 a.m. The vote was unanimous.

Committee on Academic and Workforce Success

AGENDA ITEM III

Public testimony on items relating to the Committee on Academic and Workforce Success

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 committee, after staff has presented the item, or any other time.

Committee on Academic and Workforce Success

AGENDA ITEM IV

Consideration and possible action to adopt the consent calendar

RECOMMENDATION: Approval

Background Information:

To ensure meetings are efficient, and to save institutions time and travel costs to attend the Committee on Academic and Workforce Success meetings in Austin, the committee has a consent calendar for items that are noncontroversial. Any item can be removed from the consent calendar by a Board member.

Consent Calendar

- V. Matters relating to the Committee on Academic and Workforce Success
 - A. 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)
 - B. 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”)
 - E. Consideration and possible action to approve awards over \$5 million for the Graduate Medical Education Expansion Grant Program
 - H. Proposed Rules:
 - (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
 - (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
 - (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
 - (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
 - (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
 - (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

Committee on Academic and Workforce Success

AGENDA ITEM V-A

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 Coordinating Board Rules, Chapter 7, Subchapter A, Section 7.7(6), Closure of an Institution, the Texas Higher Education Coordinating Board (THECB) must be notified in writing at least 90 days before a planned closure date or immediately if an institution closes unexpectedly. If an institution closes or intends to close before all currently enrolled students have completed all requirements for graduation, a teach-out plan is required. The teach-out plan is subject to Board approval. The Board has given the Assistant Commissioner of Academic and Health Affairs the authority to oversee this approval process.

The Art Institute-Austin

The Art Institute-Dallas

The Art Institute-Houston

The Art Institute-San Antonio

On September 22, 2023, The Art Institutes notified Coordinating Board staff of the closure of all Art Institute locations, including its Texas locations, as of September 30, 2023. The Texas locations were:

- The Art Institute of Austin, a branch of The Art Institute of Houston, 1204 Chestnut Street, Bastrop, TX 78602
- The Art Institute of Dallas, a branch of Miami International University of Art & Design, 8080 Park Lane, Suite 100, Dallas, TX 75231
- The Art Institute of Houston, 4140 Southwest Freeway, Houston, TX 77027
- The Art institute of San Antonio, a branch of The Art Institute of Houston, 10000 IH-10 W, Suite 200, San Antonio, TX 78230

This was a precipitous closure and prior notice was not given to its accreditor, the Southern Association of Colleges and Schools, or to the U.S. Department of Education. At the time of closure, there were approximately 660 active students in Texas who were able to complete the current term on September 30, 2023. The owner at the time of closure was Education Principle Foundation, located in New York, NY. The Art Institute mailed each current student five official

copies of their transcripts on or after October 1, 2023. Transcripts may be requested through the National Student Clearinghouse for a fee. The Coordinating Board also requested copies of transcripts from all Texas locations. These transcripts are in the process of being processed into the Coordinating Board's closed school transcript repository.

Columbia College-Mesquite (Bucker)

Columbia College-Mesquite (Motley)

On October 13, 2023, Columbia College, Columbia, Missouri, notified Coordinating Board staff of the planned closure of two Texas locations. These locations closed December 31, 2023. The main campus in Columbia, Missouri, is not closing. Two Fort Worth locations on military bases will remain active. The closed Texas locations were:

- Columbia College-Mesquite (Buckner), 802 South Buckner Blvd., Dallas, TX 75217
- Columbia College-Mesquite (Motley), 3737 Motley Drive, Mesquite, TX 75150

Columbia College's accreditor, the Higher Learning Commission, was notified September 1, 2023. The institution planned to notify the U.S. Department of Education a minimum of 10 days before the closure of each location. Three distance education students from the Motley location were affected by the closure. These students were advised as to their distance education options. All student records continue to be held at the main campus in Columbia, Missouri.

A.T. Still University of Health Sciences-School of Osteopathic Medicine in Arizona-Wichita Falls, TX

On September 14, 2023, A.T. Still University of Health Sciences-School of Osteopathic Medicine in Arizona (SOMA), Mesa, AZ, notified Coordinating Board staff of the closure of its teaching location at Community Healthcare Center, 200 Martin Luther King Jr. Blvd., Wichita Falls, TX. The closure of this teaching location as of August 2023 coincided with completion of the final cohort of SOMA students in Texas at the Wichita Falls location, leaving no unserved students. As the Wichita Falls location was considered a teaching site, the institution was not required to notify its institutional accreditor, the Higher Learning Commission, or the U.S. Department of Education. All student records continue to be held by A.T. Still University of Health Sciences.

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

Committee on Academic and Workforce Success

AGENDA ITEM V-B

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”)

RECOMMENDATION: Approval

Background Information:

Starting in January 2014, under Board Rules, Chapter 7, Subchapter A, Section 7.7, institutions operating under a Certificate of Authorization are required to submit an annual compliance report to ensure continued compliance of institutions’ operations in Texas. The compliance reports include documentation on accreditation status, degree programs being offered, publications, student complaint policies, and financial viability. This requirement was instituted after the U.S. Department of Education found another state’s “licensure by accreditation” to be lacking in proper oversight of institutions operating in that state. Since the Certificate of Authorization is similarly based in part on accreditation by a recognized accreditor, proactive measures were taken to ensure Texas had enough review and oversight of institutions operating under a Certificate of Authorization. The annual compliance review report also provides a means for staff to confirm that information about an institution is current in the Texas Higher Education Coordinating Board’s files and publications.

Institutions with names beginning with “P” through “Z” were required to submit their reports by July 15, 2023. Institutions with names beginning with “A” through “O” are required to submit their reports by January 15, 2024. Institutions receiving their first Certificate of Authorization less than six months before the report due date were not asked to submit annual reports because their information was deemed up-to-date. Following is a summary of the status of all institutions that were required to report in the July 2023 reporting cycle.

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

January 2024 Report to Texas Higher Education Coordinating Board
Status of Institutions (P-Z) under a Certificate of Authorization

Background:

Starting in January 2014, institutions operating under a Certificate of Authorization are required to submit an annual compliance report. Institutions with names beginning with “P” through “Z” are required to submit their reports by January 15 each year. Institutions receiving their first Certificate of Authorization less than six months before the report due date were not asked to submit an annual report because their information was deemed up to date.

Institutions in compliance with THECB rules, including annual compliance reporting, operating in Texas under current Certificates of Authorization

Following are the statuses of all institutions under the July 15, 2023, reporting deadline:

Institutions with a physical campus in Texas:

- | | |
|--|---|
| • Park University - Austin | • Strayer University - North Dallas |
| • Park University - El Paso | • Strayer University - Northwest Houston |
| • Paul Quinn College - Dallas | • Strayer University - San Antonio |
| • Pima Medical Institute - El Paso | • The Chicago School - Richardson |
| • Pima Medical Institute - Houston | • The College of Health Care Professions - Austin |
| • Pima Medical Institute - San Antonio | • The College of Health Care Professions - Dallas |
| • Relay Graduate School of Education - Dallas/Fort Worth | • The College of Health Care Professions - Fort Worth |
| • Relay Graduate School of Education - Houston | • The College of Health Care Professions - Houston Northwest |
| • Relay Graduate School of Education - San Antonio | • The College of Health Care Professions - Houston Southwest |
| • Rio Grande Valley College | • The College of Health Care Professions - McAllen |
| • Saint Louis University - Dallas | • The College of Health Care Professions - San Antonio |
| • Saint Louis University - Houston | • The College of Health Care Professions - San Antonio South |
| • Seminary of the Southwest | • The College of Health Care Professions - Houston Med Center |

- Southeastern Oklahoma State University at Grayson College
- Southern Careers Institute - Austin
- Southern Careers Institute - Brownsville
- Southern Careers Institute - Corpus Christi
- Southern Careers Institute - Harlingen
- Southern Careers Institute - San Antonio, NW Loop 410
- Southern Careers Institute - San Antonio, SW Military Dr
- Southern Careers Institute - Pharr
- Southern Careers Institute - Waco
- Springfield College - The Woodlands
- Strayer University - Cedar Hill
- Strayer University - El Paso
- Strayer University - Fort Worth
- Strayer University - Killeen
- The King's University
- Universal Technical Institute - Houston
- Universal Technical Institute - West Texas
- Universal Technical Institute of Northern Texas
- University of Maryland Global Campus - Killeen
- University of Maryland Global Campus - San Antonio
- Vet Tech Institute of Houston
- Wade College
- Webster University - San Antonio
- Weill Cornell Graduate School of Medical Sciences
- West Coast University - Texas
- Western Governors University - Texas
- Western Technical College - El Paso (Diana)
- Western Technical College - El Paso (Main)

Out-of-state institutions authorized to provide field-based learning in Texas (clinicals, internships):

- Rocky Vista University
- Samuel Merritt University
- San Diego State University
- Saybrook University
- Seward County Community College/ATS
- Southeast New Mexico College
- Southern Arkansas University
- The University of Arizona Global Campus
- Touro University Nevada
- United States University
- University of Massachusetts Global
- University of Southern California
- Walden University
- Webster University - St. Louis, MO / Ft. Bliss
- West Coast University - Los Angeles
- Western Oklahoma State College

Institutions that have submitted annual compliance reports but need to provide missing information before they are fully in compliance

Institutions with a physical campus in Texas:

- Texas Healthtech Institute

Out-of-state institutions authorized to provide field-based learning in Texas (clinical,internships):

OOS

- Western University of Health Sciences

Institutions that have submitted annual compliance reports but are still under review

Institutions with a physical campus in Texas:

OOS

No Institutions

Out-of-state institutions authorized to provide field-based learning in Texas (clinical,internships):

OOS

No Institutions

Institutions with Certificates of Authorization that are expired due to campus closure or no current presence in Texas

Institutions with a physical campus in Texas:

OOS

- Saint Leo University - Corpus Christi
- The Art Institute of Austin
- The Art Institute of Dallas

- The Art Institute of Houston
- The Art Institute of San Antonio

Out-of-state institutions authorized to provide field-based learning in Texas (clinical,internships):

- Point Loma Nazarene University
- St. Catherine University
- University of Mississippi

Institutions operating in Texas under current Certificates of Authorization but have been requested to update THECB with any changes in status due to financial or accreditation concerns

Institution	Concern
• Peloton College - Dallas	Financial Responsibility Composite Score under 1.5
• Remington College - Dallas Campus (Garland)	Heightened Cash Monitoring status with a Financial Responsibility Composite Score under 1
• Remington College - Houston North (Greenspoint)	Heightened Cash Monitoring status with a Financial Responsibility Composite Score under 1
• Remington College - Houston Southeast (Webster)	Heightened Cash Monitoring status with a Financial Responsibility Composite Score under 1
• Remington College - North Richland Hills Fort Worth	Heightened Cash Monitoring status with a Financial Responsibility Composite Score under 1
• School of Automotive Machinists & Technology	Heightened Cash Monitoring status with a Financial Responsibility Composite Score under 1
• South University - Austin	Heightened Cash Monitoring status with a Financial Responsibility Composite Score under 1
• South University - Online	Heightened Cash Monitoring status with a Financial Responsibility Composite Score under 1
• Southwest University at El Paso	Heightened Cash Monitoring status with financial responsibility concerns

- Texas Health and Science University - Austin
Heightened Cash Monitoring status with a Financial Responsibility Composite Score under 1
- Texas Health and Science University - San Antonio
Heightened Cash Monitoring status with a Financial Responsibility Composite Score under 1
- The Recording Conservatory of Austin
Institutional accreditor's deferral of accreditation renewal
- Ultimate Medical Academy
Financial Responsibility Composite Score under 1
- University of Phoenix - Dallas
Campus in teach-out Status
- University of St. Augustine for Health Sciences - Austin
U.S. Department of Education Provisional Status
- University of St. Augustine for Health Sciences - Dallas
U.S. Department of Education Provisional Status

Committee on Academic and Workforce Success

AGENDA ITEM V-C

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

RECOMMENDATION: Approval

Background Information:

The General Appropriations Act, House Bill 1, under strategy A.1.6., added \$5 million per year to General Revenue requiring the Texas Higher Education Coordinating Board (THECB) to establish a statewide Computer Science Pipeline Initiative. Out of funds appropriated, \$5 million in General Revenue in Fiscal Year 2024 and \$5 million in General Revenue in Fiscal Year 2025 is to be used to consolidate and streamline computer science education by establishing a statewide Computer Science Pipeline Initiative (TX CS Pipeline Project). In addition to amounts appropriated above, \$2 million in General Revenue in Fiscal Year 2024 and \$2 million in General Revenue in Fiscal Year 2025 was appropriated to THECB, contingent upon the THECB demonstrating to the Comptroller of Public Accounts that the Computer Science Pipeline Initiative has raised at least \$2 million in gifts and donations, including those offered in-kind, in Fiscal Year 2024 and at least \$2 million in gifts and donations, including those offered in-kind, in Fiscal Year 2025. These funds shall be used for the Computer Science Pipeline Initiative.

The Computer Science Pipeline Initiative will provide K-12 public school teachers the resources to obtain a computer science teaching certification through partnerships with nonprofit organizations, institutions of higher education, and education service centers. The initiative will provide professional development in coding, computational thinking, cybersecurity, and computer science education to grow its existing programs and supports for educators in those fields. The appropriation for this initiative will furthermore support the additional professional development for 600 educators in integrating computer science into K-8 core subjects, expand curriculum training for specific high school computer science courses (including Advanced Placement courses), and educate teachers in cybersecurity best practices, curriculum, and industry-based certifications that prepare their students for careers in the cybersecurity workforce.

Approval will allow the THECB to enter into a two-year service contract with The University of Texas at Austin for creating and scaling the TX CS Pipeline Project at a cost not to exceed \$14 million.

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

Committee on Academic and Workforce Success

AGENDA ITEM V-D

Consideration and possible action to approve a resolution on the request by Barbers Hill ISD/Lee College regarding a branch campus maintenance tax election and branch campus approval

RECOMMENDATIONS:

THECB staff recommends:

1. approval of Lee College's request to establish a branch campus within Barbers Hill Independent School District (ISD) contingent upon the proposed maintenance tax receiving voter approval. This contingency is due to the branch campus funding's reliance on the maintenance tax.
2. approval of Barbers Hill ISD's request to hold a branch campus maintenance tax election.

Background Information:

Lee College District and Barbers Hill Independent School District (BHISD) jointly propose creation of a Lee College Branch Campus within the BHISD jurisdiction to be supported by a branch campus maintenance tax. BHISD will build a new, 60,000 square-foot building to house the branch campus. The campus is expected to serve about 1,000 students at full capacity.

Lee College submitted a proposal and feasibility study for the creation of a community college branch campus within BHISD in December 2022. In a December 7, 2023, report to the Commissioner, THECB staff determined that Lee College's proposal addresses all requirements of Texas Administrative Code Subchapter D¹ for formation of a branch campus. The report provided a summary overview of the petition, branch campus self-study and maintenance tax feasibility study, results of an external review committee appointed by the Commissioner that corroborated the completeness of the proposal, and findings of a site visit conducted in February 2023.

¹ 19 Tex. Admin. Code §§ 8.71 - .76

BHISD requested permission to hold a branch campus maintenance tax election at a rate of five percent on each \$100 valuation of all taxable property. On Thursday November 30, 2023, THECB received the certified petition that is required for approval of the Branch Campus Maintenance Tax election. The petition included a letter from the district's voter registrar certifying the signatures of registered voters who live in the Barbers Hill Independent School District as of 11/28/23. Workforce Education staff confirmed that 1008 registered voters signed the petition. There are 19,795 registered voters in the district. The 1008 signatures on the petition exceed the five percent requirement (990 signatures) for signatures of registered voters. Staff determined that the petition is complete.

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

Lee College Proposal to Create a Branch Campus
and
Barbers Hill Independent School District Petition to Hold a Branch Campus
Maintenance Tax Election

Lee College submitted a proposal and feasibility study for the creation of a community college branch campus within Barbers Hill Independent School District (Barbers Hill ISD) in December 2022 and requested permission to hold a branch campus maintenance tax election. On Thursday November 30, 2023 THECB received from Barbers Hill ISD a certified petition for an election to authorize a community college branch campus within the jurisdiction of Barbers Hill ISD. This report provides a summary overview of the petition, branch campus self-study and maintenance tax feasibility study, results of an external review committee appointed by Commissioner Harrison Keller, and findings of a site visit conducted in February 2023. All records referenced are attached and incorporated into this report.

This report finds that Lee College's proposal addresses all requirements of Texas Administrative Code Subchapter D¹ for formation of a branch campus and Subchapter E² for establishment of a branch campus maintenance tax. External reviews corroborated the completeness of the proposal. Staff recommends that the Commissioner 1) approves the establishment of a branch campus maintenance tax and the holding of a branch campus maintenance tax election by Barbers Hill ISD; and 2) approve the formation and operation of Lee College's proposed branch campus contingent upon the branch campus maintenance tax receiving voter approval.

Statutory Overview

Branch Campus Formation Approval

Section 130.251 of the Texas Education Code requires a community college to receive approval from the THECB to establish and operate a branch campus within the district's service area. THECB rules³ require the following:

- Letter of Application to the Commissioner (Received December 12, 2022);
- Community College completion of a self-study to assess whether the proposed branch campus meets the criteria set forth in section 8.74 (Received December 12, 2022);
- THECB appointed team consisting of a majority of community college presidents review the self-study to ensure it meets THECB and SACS standards (Completed February 2022);
- Board staff completes a site visit (Completed February 23, 2023);

¹ 19 Tex. Admin. Code §§ 8.71 - .76

² 19 Tex. Admin. Code §§ 8.91-8.103

³ 19 Tex. Admin. Code §§8.74-.75

- Board staff submits to the Commissioner a report on whether the proposal meets standards outlined in section 8.74 and provides recommendation for approval or denial of the request that is not binding on the Commissioner of the Board;
- The Board shall consider the proposed branch campus and in making a decision shall consider the needs of the community college district, the needs of the community served by the proposed branch campus, the potential impact on other institutions of higher education, and the welfare of the state as a whole; and
- The Board shall enter a resolution regarding the formation of the branch campus and be provided to the community college district's governing board by the Commissioner.

Branch Campus Maintenance Tax Authorization

Section 130.253 of the Texas Education code requires the governing body of a county or school district to receive approval from the THECB to order a community college branch campus maintenance tax at a rate not to exceed five cents on each \$100 valuation of all taxable property. A school district may seek approval for such an election by submitting a petition for an election signed by not fewer than five percent of the qualified voters in the school district's jurisdiction. In reaching a decision on whether to approve the election, THECB is required to determine whether the tax rate and petition requirements are met and whether the proposed tax is feasible and desirable. THECB rules set forth the criteria for making a decision on feasibility and desirability.⁴ These criteria include: demographic and economic characteristics; potential student clientele; financial status; projected programs and services; proximity and impediments to programs and services to existing IHEs. These criteria are required to be addressed by a local steering committee study submitted to the THECB.

Summary of Request to Establish Branch Campus

Lee College District and Barbers Hill Independent School District (BHISD) jointly propose creation of a Lee College Branch Campus within the BHISD jurisdiction to be supported by a branch campus maintenance tax. BHISD will build a new, 60,000 square-foot building to house the branch campus. The campus is expected to serve about 1,000 students at full capacity.

As required by Texas Administrative Code §8.74, the college formed a steering committee to conduct a self-study to ensure that the branch campus would meet standards and criteria for instruction and support services required by the Commission on Colleges of the Southern Association of Colleges and Schools. The ten-member steering committee included BHISD administrators and trustees, community leaders

⁴ 19 Tex. Admin. Code § 8.99

and officials, and two members of the Lee College Board of Regents. The steering committee in turn appointed three subcommittees:

- Programming Subcommittee to develop courses, programs, degrees and services to be offered at the branch campus;
- Finance Subcommittee to develop a financial plan supporting the branch campus;
- and Architect Subcommittee to develop plans for the facility that will house the branch campus.

Institutional Background

Lee College is an open-admissions, two-year lower-division undergraduate institution established in Baytown, Texas, in 1934. The college's 2,258 square-mile service area includes portions of Harris, Chambers, and Liberty counties. The college's main campus is in Baytown, with off-campus instructional centers in Baytown and Liberty, Texas. The service area comprises 12 high schools, eight prison units, and one state jail. In fall 2021, the college's unduplicated enrollment in credit courses totaled 9,947.

The college has a nationally recognized Honors Program and national champion Debate Society. Lee College has been an Achieving the Dream Leader College since 2011 and a Leader College of Distinction since 2019. The college was ranked in the top 10% of community colleges for two consecutive years by the Aspen Institute.

BHISD, the college's partner in branch campus formation, includes nine campuses with a total 2020-2021 enrollment of 6,410. BHISD received an "A" state accountability rating from the Texas Education Agency in 2020-2021.

Branch Campus Self-Study

The branch campus self-study provides evidence that the proposed branch campus will meet the requirements of the five criteria outlined in TAC §8.74(b)(1-5):

1. Role and Mission; Purpose
2. Programs and Courses
3. Staffing
4. Funding
5. Regional Higher Education Council Review and Certification

Branch Campus Role, Mission, and Purpose. The college documents that its role and mission conform to the four requirements set forth in Texas Education Code Section 130.0011, and that the college's purpose is consistent with nine requirements of TEC 130.003.

Role and Mission:

1. A two-year institution serving its local tax district and service area, and offering vocational, technical, and academic courses for certificates and associate degrees: the Lee College branch campus will offer certificates and associate

degrees in service to its taxing district and service area. It will be centrally located in Mont Belview and close to several independent school districts.

2. Provision of continuing education, remedial, and compensatory education and offering counseling and guidance to students: the branch campus will offer continuing education vocational programs and developmental and co-requisite programs. It will support a continuing program of guidance and counseling that includes general academic counseling, disability services, veterans advising, and job placement services.
3. Excellence in instruction, research and public service: Lee College cites its mission statement, which incorporates the three areas.
4. Support for faculty research: Lee College cited grants supporting research, including a Title V grant to develop and measure effectiveness of the college's first-year students, and faculty participation in the Community College Research Fellows program. The branch campus will be included in institution-wide research projects. Branch campus faculty will be encouraged to pursue discipline-appropriate research.

Purpose (§8.74(b)(1)(A-I)):

- A. Technical programs up to two years in length leading to associate degrees or certificates: the branch campus will offer AAS degrees in Respiratory Therapy and Sonography and a certificate in Pharmacy Technology.
- B. Vocational programs leading to employment in skilled and semi-skilled occupations: the branch campus will offer certificates in Sterile Processing Technology and Drone Operator.
- C. Freshman and sophomore courses in arts and sciences, including the state-mandated core curriculum: Lee College lists over thirty courses spanning nine core curriculum component areas and institutional requirements to be offered at the branch campus.
- D. Continuing adult education programs for occupational or cultural upgrading: the branch campus will offer linked courses for adults enrolling in academic courses, adult travel programs, and senior day trips.
- E. Compensatory education programs: the branch campus will offer developmental and co-requisite programs in English and mathematics.
- F. A continuing program of counseling and guidance: the branch campus will offer a continuing program of counseling and guidance designed to assist students in achieving their educational goals.
- G. Workforce development programs to meet local and statewide needs: see purpose B above.
- H. Adult literacy and other basic skill programs: the branch campus will offer adult basic education course, high school equivalency programs, and English as a Second Language courses.

- I. Other programs prescribed by the Coordinating Board or local governing boards: the college provides support for basic student needs and supports student activities to encourage campus engagement.

Branch Campus Programs and Courses. The college documents that all courses, programs, and degrees will be offered in the name of the parent district (college) and will meet the criteria set forth in TAC §8.74(b)(2)(A-C):

- A. Courses and programs at the branch campus will meet the role, mission, and purposes described in the previous section. Programs at the branch campus will include technical, vocational, transfer, continuing education, and compensatory education programs, along with guidance and counseling programs, workforce programs, and adult basic education programs. Courses for the branch campus have been selected to support the programs.
- B. Courses and programs will be developed and operated with the ongoing assistance and involvement of the parent district faculty and staff. The Lee College Curriculum and Academic Affairs Committee (CAAC), a faculty-led committee, is responsible for course and program development on the main campus and off-campus instructional sites. The CAAC is developing the Branch Campus instructional program. The branch campus administration will report directly to the main campus administration.
- C. Branch campus faculty credentials, full-time/part-time faculty ratios, teaching loads, faculty performance evaluation and effectiveness, and student access to faculty will follow the same policies as those in effect for the main campus. The policies are reviewed regularly to ensure that they contribute to the quality of courses and programs.

Branch Campus Staffing. The college documents that there will be sufficient academic and student support staff to meet the needs of faculty and students on the branch campus (TAC §8.74(b)(3)). The branch campus is expected to serve 750 students, 60 Allied Health technical students, and 100 vocational/workforce and adult education students.

Staffing for transfer courses will include 15 full-time faculty in mathematics and science courses, nine full-time faculty in Allied Health programs, and adjunct instructors for vocational/workforce, adult literacy, and basic education programs.

Fourteen student services staff will serve in academic advising, services coordination, tutoring, and testing center and library support.

The self-study's branch campus organizational chart includes executive leadership, information technology, student services, academic affairs, and workforce/community development staff positions.

Branch Campus Funding. The branch campus will be supported by a branch campus maintenance tax if approved by the Coordinating Board. State aid will be earned consistently with appropriated formula funds. Accounting oversight for the branch campus will comply with generally accepted accounting principles, and financial

reports will be submitted as required for community college districts (TAC §8.74(b)(4)(A-D)).

Regional Higher Education Council Review and Certification of the Branch Campus §8.74(b)(5). The college states that the branch campus will not require review by the Regional Higher Education Council because the branch campus will be located in BHISD. BHISD is contained entirely within the college's service area and is not shared with another college district.

External Evaluators' Review

Commissioner Keller appointed three college presidents to serve on the external evaluator review team. The external review committee consisted of Dr. Richard Rhodes, Austin Community College; Dr. Russell Lowery-Hart, Amarillo College; and Dr. Christina Ponce, Temple College. Rule §8.74 requires Coordinating Board staff to review the external team's recommendations.

The three committee members agreed unanimously that Lee College's self-study successfully addressed each criterion, including the role, mission and purpose of the community college; programs and courses, and staffing plans, including sufficient academic and student support staff. The committee also agreed that the branch has met the requirement to provide technical programs up to two years in length leading to associate degrees or certificates and vocational programs leading directly to employment.

The reviewers also agreed that the core curriculum, adult education, adult literacy, and workforce development programs designed to meet the local and state-wide needs will be offered to students at the branch campus.

Committee member Dr. Russell Lowery-Hart shared one comment to ask Lee College how the two communities and institutions will communicate to support the branch campus. Dr. Lowery-Hart suggested implementing a local non-governance advisory committee to inform and connect with the Lee College administration.

College President External Review Team

Dr. Richard Rhodes, Austin Community College. Under Dr. Rhodes leadership, ACC earned Achieving the Dream Leader College status. Success initiatives led by Dr. Rhodes include an innovative redesign of ACC's developmental math curriculum, including the successful implementation of MATD 0421 Developmental Mathematics, and the opening of the nation's largest computerized learning lab. During Dr. Rhodes' tenure, the college has established new campuses in the City of Elgin, Hays County, and the refurbished Highland Mall in central Austin. Bond packages approved in 2014 will allow continued revitalization of ACC Highland and expanded career-technical training facilities.

Dr. Russell Lowery-Hart, President for Amarillo College since 2014. Amarillo College was named a 2021 Top Five Institution and Rising Star for the Aspen Prize for

Community College Excellence. Under Dr. Lowery-Hart's leadership, Amarillo College developed the systemic Culture of Caring targeting removal of poverty barriers that was featured in *The Atlantic* (June 2018) by Marcella Bombardieri and in a documentary on Amazon Prime, *The Antidote*, by Oscar-nominated and Emmy Award winning directors Kahane Cooperman and John Hoffman.

Dr. Christina Ponce became Temple College's 11th president in January 2019. Prior to becoming president of Temple College, Dr. Ponce held positions with Austin Community College, El Paso Community College, Lee College, and the Texas Higher Education Coordinating Board. Under Dr. Ponce's leadership, the Temple College Board of Trustees asked Temple voters to approve a \$124.9 million bond issue to fund an expansion of the college's Health Sciences Center and the construction of three new buildings.

Site Visit Findings

Dr. Tina Jackson, Assistant Commissioner for Workforce Education, conducted a site visit to Lee College on February 23, 2023. The following Lee College executive team participated; President Dr. Lynda Villanueva; Dr. Doug Walcerz, Provost and Vice President of Academic and Student Affairs; Annette Ferguson, Vice President of Finance and Administration; Gilbert Santana; Chair of Lee College Board of Regents; and Barbers Hill ISD district staff members Ashley Boothe, CTE Coordinator, and Tammi Prothro, Director of Curriculum.

During the site visit Dr. Jackson provided an overview of the site visit agenda and shared that in compliance with Rule 8.74, THECB staff are required to conduct a site visit and submit a report to the Commissioner indicating whether criteria have been met and making recommendations for approval or denial for the establishment of the proposed branch campus.

Dr. Villanueva presented an overview of the self-study, which included sharing a Google map view of the site showing that Barbers ISD schools are located within 15 minutes' drive of the proposed branch campus. There were also several businesses in the area that could become possible sites for work-based learning opportunities, making this a prime location for dual credit programs and work-based learning internships and apprenticeship programs. President Villanueva also shared information about Lee College's 10-member Steering Committee. The Steering Committee appointed three subcommittees:

Programming Subcommittee, responsible for developing the courses, programs, credentials, and services to be provided at the branch campus;

Finance Subcommittee, responsible for developing the financial plan to support the branch campus; and

Architect Subcommittee, responsible for developing plans for the branch campus facility.

Programs offered on the branch campus will focus on Health Care, Allied Health, Cybersecurity, and Cloud computing.

Upon the conclusion of Lee Colleges overview Dr. Jackson shared an overview of the external review committee's findings supporting approval of Lee College's Branch campus proposal. Dr. Jackson also shared the suggestion made by Committee member Dr. Russell Lowery-Hart for implementing a local non-governance advisory committee to inform and connect with the Lee College administration. Lee College's President and Executive committee were supportive of this suggestion and believes it will assist the college with sustaining communication with Lee College and the Barbers Hill ISD Community.

Recommendation

Based on the information provided, THECB staff recommends approval of Lee College's request to establish a branch campus within Barbers Hill ISD contingent upon the proposed maintenance tax receiving voter approval. This contingency is due to the branch campus funding's reliance on the maintenance tax.

Summary of Request to Hold a Branch Campus Maintenance Tax

Barbers Hill ISD has requested to hold a branch campus maintenance tax at a rate of INSERT on each \$100 valuation of all taxable property in Barbers Hill ISD to support the proposed branch campus.

Summary Overview of Maintenance Tax Feasibility Study

The maintenance tax feasibility study provides evidence that requirements have been met for the five criteria set forth in TAC §8.99(b)(1-5) for approval to levy a branch campus maintenance tax:

1. Demographic and economic characteristics of the jurisdiction seeking to establish the maintenance tax;
2. Potential student clientele;
3. The financial status of the proposed jurisdiction to be taxed and the state a whole;
4. Projected programs and services for the proposed jurisdiction based on economic and population trends; and
5. Proximity and impediments to programs and services to existing institutions of higher education.

The information presented on the five criteria includes the results of a community survey and community focus groups that examined the need, potential student clientele, and financial ability of the jurisdiction, and other data required by TAC §8.95. The community survey and community focus groups were conducted by an independent marketing research firm in November 2022. The survey, available in English and Spanish, received nearly 1,000 responses. All respondents self-identified as living within the boundaries of BHISD. Twenty individuals participated in the community focus groups. Separate sessions were conducted for community members, school district parents, employers, and students.

Demographics and Economic Characteristics of Barbers Hill ISD (TAC §8.99(b)(1)(A-C))

Demographic and economic characteristics of BHISD include three components:

- A. Population trends by age group;
- B. Economic development trends and projection; and
- C. Employment trends and projection (i.e., supply-demand data).

The college documents demographics and economic characteristics for each of the three components.

- A. Population Trends by Age Group: BHISD has a total population of 23,439 with a median household income of \$122,083. 68% of respondents identified as white, 22% as Hispanic, and 6% as black. 31.6% hold bachelor's or graduate degrees, and 42.8% have some college or an associate degree.
 - a. The school district has experienced growth every year for the past three decades. Lee College currently enrolls approximately 350 alumni of BHISD each semester and 375 alumni from five school districts in close proximity to BHISD. Student population projections for BHISD show an increase from 7,364 students for the 2022-2023 school year to 13,689 students for 2031-2032.
- B. Economic Development Trends and Projections: job recovery has been steady since mid-2020. Employment was projected to be at pre-pandemic levels by the end of 2022. Oil prices have rebounded, with prices topping \$100 per barrel. The end of pandemic restrictions and international events have contributed to the rise. Precedence Research has projected up to 5% growth annually through 2030. The regional housing market shows signs of stabilizing after a post-shutdown surge in summer 2020.
- C. Employment Trends and Projections: unemployment has dropped from 14.2% in April 2020 to 6.8% in December 2021, which is close to the pre-pandemic level of 6.5% in March 2020.

The largest program at the Lee College branch campus will be the transfer program for students pursuing a bachelor's degree. The national employment rate for 25-34 year-olds holding bachelor's degrees was 86% in 2021, compared with 75% for those with some college and 68% for high school graduates. The study asserts that higher levels of employment and higher wages show the continuing demand for workers with bachelor's degrees.

The branch campus will also focus on Allied Health programs. The study provides U.S. Bureau of Labor Statistics data to show that the number of job openings in Allied Health fields exceeds the number of students currently completing programs each year, indicating a strong labor market for Allied Health graduates. Figures are based on the assumption that the number of Allied Health job openings in the Houston Metro Area is approximately 25% of related Texas openings, given that the Metro Area comprises about one quarter of the state's population.

Potential Student Clientele

Potential student clientele data required for TAC §8.99(b)(2)(A-B) include the following:

- A. Educational levels by age group; and
- B. College-bound data.

The maintenance tax feasibility study does not present these specific data. Instead, the maintenance tax steering committee commissioned a community survey and series of focus groups to gather stakeholder input on the need for a branch campus, potential student clientele, financial ability of the jurisdiction, and other data required under TAC §8.95.

704 of 936 respondents to the study's potential student clientele survey indicated that they or their children would be interested in taking courses at a branch campus in Mont Belvieu. 141 respondents indicated "Maybe," and 91 said no. A majority of respondents identified affordability, class availability, scheduling flexibility, and proximity to home as factors that would encourage them to attend college locally.

See Demographics and Economic Characteristics of Barbers Hill ISD for student population trends by age group.

Focus groups to assess interest in a branch campus and the perceived need for a branch campus showed that community members, parents, students, and employers believed there would be many benefits in development of a branch campus at Mont Belvieu for both traditional and nontraditional students. Participants also believed the branch campus would provide multiple educational opportunities leading students to better employment opportunities.

Financial Status of the Proposed Jurisdiction to be Tax and the State as a Whole

Financial status data required for TAC §8.99(b)(3)(A-B) include the following:

- A. Projected growth or decline in the tax base; and
 - B. Trends in state appropriations for community colleges and other institutions of higher education.
- A. The study documents sustained growth in taxable values for the past ten years and projects similar growth through the 2028 tax year. Based on a 5% maintenance tax estimate with adjustments for certain exemptions, Lee College Branch Campus tax revenue is estimated to grow from \$8.28 million in FY 2024 to \$10.37 million in FY 2029. Estimated costs are \$8.28 million for FY 2024 and \$9.58 million for FY 2029 with a capital investment of \$1.4 million in FY 2025.

The draft operating budget for the branch campus begins at \$8.28 million for FY 2024 and increases to \$9.58 million for FY 2029.
 - B. The study cites the work of the Commission on Community College Finance (CCCCF) as a positive trend in state appropriations and expresses optimism that the majority of the commission's recommendations will be accepted. Under the current funding model, a majority of funding is generated by tuition and

property taxes. The study notes the wide variation in property tax rates adopted by community colleges and in taxable property values.

In the current biennium, state formula funding for community colleges is about \$1.8 billion, distributed through an allocation methodology that considers how colleges perform in relation to one another. The formula is based primarily on property tax values and THECB-identified success points. Recommendations of the CCCF would generate more consistent base levels of funding and ensure that small and rural-serving colleges with lower property tax values will see increased revenues to serve students. The study cites CCCF Recommendations 1.1 through 3.3.

As part of its report on the financial status of the proposed jurisdiction, the study reports on focus group discussions with community members, parents, and employers that included the possibility of a maintenance tax. Respondents discussed the low tax rates they currently pay and understood the possible value of a branch campus maintenance tax. A parent stated they would accept a tax if the branch campus were going to be of high quality and improve the community's way of life. One employer opposed a maintenance tax.

The study notes additionally that focus groups consulted supported tuition discounts in addition to indicating openness to a maintenance tax. An employer noted that, while Mont Belvieu is seen as an affluent area, there are economically disadvantaged communities within and around the area that would benefit from tuition discounts.

This section of the feasibility study concludes that "Barbers Hill ISD is fortunate to have a large and growing tax base that is more than sufficient to support the proposed Branch Campus, as shown by the projected operating budget. Future trends suggest continued growth in the tax base, and changes in the state funding model that will benefit community colleges. Results of a Community Survey and Focus Groups indicate strong support for a Branch Campus, even though it will require a maintenance tax, and highlighted the importance of controlling college costs for students and their families."

Projected Programs and Services for Barbers Hill ISD Based on Economic and Populations Trends (TAC §8.99(b)(4))

Project programs and services for the branch campus are supported by economic trends showing strong demand for workers in Allied Health professions and workers with bachelor's degrees. Populations trends cited in the study show that 25% of the adult population has no college education and would benefit from adult basic education and vocational programs.

The following programs and services will be offered at the Branch Campus:

Technical programs

- AAS in Respiratory Therapy
- AAS in Sonography
- Certificate in Pharmacy Technology
- Certificate in Drone Operation

Vocational programs

- Sterile Processing Technology
- Drone Operator

Freshman and sophomore courses are part of the state-mandated core curriculum. The complete list of courses is provided in the branch campus self-study portion of the proposal.

Continuing adult education programs

- Linked courses for adults who wish to enroll in academic courses
- Adult travel programs including both domestic and international destinations
- Senior day trips in the local area

Developmental and co-requisite courses for math and English using the same placement process as that used on the main campus.

A tutoring center with tutors in math, English, and other disciplines will provide additional support to all students who may benefit from one-on-one academic instruction.

Counseling and guidance services including:

- General academic advising and counseling
- Advising for veterans
- Disability services
- Transfer services for students transferring to another college or university
- Placement services for students seeking employment

Adult Basic Education courses and High School Equivalency courses as needed to meet local demand.

Support for student basic needs, including a food pantry, clothing closet, gas cards, childcare subsidies, and emergency aid.

Student activities to encourage engagement with the campus through student clubs, special events, and recreation.

Proximity and Impediments to Programs and Services to Existing Institutions of Higher Education (TAC §8.99(b)(4)(A-G))

Required sections for this rule include the following:

- A. Identification of institutions that could be affected by a new branch campus;
- B. Documentation of existing programs and services:
 - a. on the campuses of nearby institutions of higher education;
 - b. available to citizens within a 50-mile radius of the proposed jurisdiction;
 - and
 - c. offered in the proposed jurisdiction by existing institutions of higher education;

- C. Financial limitations on existing institutions of higher education inhibiting the offering of programs and services in the proposed jurisdiction;
- D. Availability of facilities, libraries, and equipment for institutions to offer classes in the proposed jurisdiction;
- E. Distance and traffic patterns to existing institutions of higher education;
- F. Effect on enrollments of existing institutions of higher education; and
- G. Effect on financing of existing institutions of higher education.

The study addresses each of these criteria in turn, as summarized below, and concludes that the branch campus will have a negligible impact on other regional colleges within a 50-mile radius. Enrollment at the branch campus will be small compared to enrollments in nearby colleges and universities. Regional traffic patterns and distances to campus pose an impediment to travel to more distant institutions.

- A. Identification of institutions that could be affected by new branch campus: community colleges potentially affected include Alvin, Brazosport, Galveston, Houston, Lone Star and San Jacinto colleges, as well as College of the Mainland and Wharton County Junior Colleges. Houston area four-year institutions include University of Houston, the University of Houston Downtown, the University of Houston Clear Lake, Rice University, Texas Southern University, Houston Baptist University, and the University of St. Thomas. The committee believes that universities are unlikely to be affected because their offerings are dissimilar.
- B. Documentation of existing programs and services within a 50-mile radius: all nine community colleges in the region offer transfer programs. Many offer Allied Health programs, and all have services similar to those that will be offered at the branch campus. No other institutions of higher education (IHE) offer programs and services in Barbers Hill ISD (BHISD).
- C. Financial limitations on existing IHEs inhibiting the offering of programs and services in the proposed jurisdiction: limitations on existing community colleges in offering programs and services in BHISD are statutory and not financial. State law prohibits community colleges from operating in the service areas of other community colleges. BHISD sits wholly within the Lee College service area.
- D. Availability of facilities, libraries, and equipment: the new branch campus facility will include classrooms, computer labs, science labs, allied health labs, advising and counseling offices, a Learning Hub with library and tutoring services, and faculty and staff offices.
- E. Distance and traffic patterns to existing IHEs: the San Jacinto River and lakes and bays connecting to Trinity Bay and Galveston Bay form a natural barrier and significant traffic barrier. San Jacinto College, Houston Community College, and Lone Star College are 25, 30, and 42 miles from BHISD, respectively. Heavy traffic from the district to the institutions creates a barrier, as do the bridges between BHISD and Houston.

- F. Effect on enrollments of existing IHEs: Lee College is significantly smaller than its three closest neighbors. San Jacinto College has an enrollment of 28,000, Houston Community College enrolls 69,000, and Lone Star College in Kingswood enrolls about 70,000. By comparison, Lee College enrolls about 8,000 students, and the branch campus will have a capacity of about 1,000 students.
- G. Effect on the financing of existing IHEs: effects on the financing of existing IHEs will be negligible because of the relatively small enrollment at the branch campus.

Summary of Petition

On Thursday November 30, 2023, THECB received the certified petition that is required for approval of the Branch Campus Maintenance Tax election. The petition included a letter from the district's voter registrar certifying the signatures of registered voters who live in the Barbers Hill Independent School District as of 11/28/23. Workforce Education staff confirmed that 1008 registered voters signed the petition. There are 19,795 registered voters in the district. The 1008 signatures on the petition exceed the five percent requirement (990 signatures) for signatures of registered voters. Staff has determined that the petition is complete.

Recommendation,

Staff finds that all required criteria have been met pertaining to Barbers Hill ISD request for THECB approval to hold a branch campus maintenance tax election. As such, THECB staff recommends approval.

Committee on Academic and Workforce Success

AGENDA ITEM V-E

Consideration and possible action to approve awards over \$5 million for the Graduate Medical Education Expansion Grant Program

RECOMMENDATION: Approval

Background Information:

The Graduate Medical Education (GME) Expansion Program was established to provide funding to enable new or existing nationally accredited GME residency programs in Texas to increase the number of first-year residency positions. The program helps support the Texas goal of having 10% more first-year entering residency positions than Texas medical school graduates.

The GME Expansion Program received an appropriation of \$233 million for the 2024-25 biennium for GME expansion. Texas Administrative Code 1.16 requires Board approval for agreements exceeding \$5 million. Texas Higher Education Coordinating Board staff request approval of award agreements over \$5 million for the 2024-25 biennium.

Supplemental materials will be forthcoming.

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

Committee on Academic and Workforce Success

AGENDA ITEM V-F

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

RECOMMENDATION: Deny

Background Information:

Healing Hands Massage Institute (HHMI), Richardson, Texas, seeks approval for its first Certificate of Authority to grant an Associate of Applied Science degree in Massage Therapy. The Board is authorized to grant each Certificate of Authority for a two-year period. The Board may grant to an institution successive Certificates of Authority for a total of eight years. After eight years, absent sufficient cause, the institution must have obtained accreditation from a Board recognized accrediting agency.

HHMI submitted an initial Certificate of Authority application on October 14, 2022. Supplemental material to the application was submitted November 18, 2022. Dr. Christina Robinson, Executive Director of Work-Based Learning & Industry Partnerships, Houston Community College, Houston, TX, in consultation with Board staff, completed a desk review on January 26, 2023, and determined the application was complete and ready for a site team visit.

A site evaluation is required when an institution seeks its initial Certificate of Authority. The agency conducted a site evaluation at HHMI on January 30-31, 2023. The site evaluation team consisted of Christina Robinson, E.D.D. (Team Chair), Executive Director of Work-Based Learning & Industry Partnerships, Houston Community College - Houston; Julianna Santillanes, Program Director of the A.A.S. in Massage Therapy, Santa Fe Community College – Santa Fe; and Laura Plummer, Controller, Western Technical College – El Paso. Paul Shuler, Ph.D., served as the THECB staff liaison.

The site evaluation team report was submitted to THECB on February 21, 2023. The report found that HHMI was in compliance with 4 of the 24 Coordinating Board required standards and were not in compliance or lacked information to support compliance with 20 standards. HHMI responded to the report within thirty days of receiving the report, as permitted under THECB rules.

The Coordinating Board's six-member Certification Advisory Council (CAC) reviewed HHMI's application, the site evaluation team's report, and HHMI's response to the evaluation

Agenda item V-F
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report at its November 2, 2023, virtual meeting. The CAC members voted unanimously to recommend denial of HHMI's application for its first Certificate of Authority.

The Commissioner has independently made the recommendation to deny Healing Hands Massage Institute's application for its first Certificate of Authority.

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

Committee on Academic and Workforce Success

AGENDA ITEM V-G (1)

Consideration and possible action to approve the request from The University of Texas at El Paso for a Doctor of Philosophy (PhD) in Physics

RECOMMENDATION: Approval, beginning fall 2024

Program Summary:

The University of Texas at El Paso (UTEP) is seeking approval to offer a Doctor of Philosophy (PhD) degree program in Physics (40.0801.00) that would begin in fall 2024. The proposed program would be offered face-to-face to students in El Paso. The program builds on faculty research strengths in quantum information science, clean energy, nano- and biomedical applications, and defense applications. The program would offer particular opportunities for Hispanic students. Within five years, UTEP could singlehandedly increase the nationwide annual rate of Hispanic PhD Physics graduates by 10%-25%.

Program Demand & Student Support

Estimated average annual <i>per student</i> costs*	Resident: \$9,080 Nonresident: \$18,780
Estimated average annual <i>per student</i> institutional financial support**	\$20,788
Projected national post-graduation first year annual earnings	\$105,000
Number of existing Texas programs in Physics	12
Minimum SCHs required for completion	54 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.

UTEP will pay the first semester tuition for all students. Research associates would have full tuition coverage for up to six years. Teaching assistants would have 60% of tuition covered for up to three years. Nonresident students who are teaching or research assistants are charged in-state tuition rates.

Similar Programs

Program Title & Designation	University	Region
Physics PhD	Texas Tech University	High Plains
Physics PhD	Baylor University	Central
Physics PhD	University of North Texas	Metroplex
Physics PhD	Texas A&M University	Central
Physics PhD	The University of Texas at Dallas	Metroplex
Physics PhD	The University of Texas at San Antonio	South
Physics PhD	Rice University	Gulf Coast
Physics PhD	The University of Texas at Arlington	Metroplex
Physics PhD	Southern Methodist University	Metroplex
Physics PhD	Texas Christian University	Metroplex
Physics PhD	University of Houston	Gulf Coast
Physics PhD	The University of Texas at Austin	Central

Labor Market Demand

The program would offer research specialties in quantum information science, opening computer and data science job opportunities to graduates. Nationally, an Emsi analysis showed 1,042 average monthly postings for physicists over the previous 10 years. The number of physicists hired was 22% less than the number of job postings, indicating an unmet professional demand nationwide. In Texas, according to Emsi, there were an average of 469 unique annual postings for physicists in Texas over the last 10 years. When astronomy and computer and information research scientist jobs are included, there were 1,823 average annual job openings. The number of Texans hired for physics jobs was 40% less than the number of monthly job postings, indicating an unmet state need.

Academic Quality/Site Visit Summary

A virtual site visit was conducted on October 30, 2023. Site reviewers were impressed by the expertise and productivity of the faculty. They also noted UTEP's success with the local population in West Texas, writing, "It is hard to overestimate the impact this will have in the field of Physics, which traditionally has had difficulties attracting students in underrepresented groups." The reviewers recommended targeted hiring of additional faculty to complete a well-rounded advanced curriculum, particularly in the areas of computational physics, condensed matter physics, machine learning and data science, and quantum information. The institution agreed in their written response, and they confirmed that the four upcoming faculty hires will cover these and other specialties. Other minor recommendations were all accepted by the institution.

Projected 5-Year Enrollments, Costs, and Funding

In accordance with the institution's proposed hiring schedule, UTEP will hire two core faculty members to start in fall 2024, a third core faculty member to start in fall 2025, and a fourth core faculty member to start in fall 2026.

	Year 1	Year 2	Year 3	Year 4	Year 5	5-Year Total
Projected Cumulative Headcount	8	15	21	25	30	99
Estimated Total Costs	\$863,761	\$856,55	\$951,059	\$968,455	\$1,035,419	\$4,675,249
Estimated Total Funding	\$946,634	\$860,41	\$1,110,166	\$969,261	\$1,162,50	\$5,048,97
Net Funding	\$76,873	\$3,860	\$159,107	\$806	\$127,084	\$373,730

Online Resume for Legislators and Other Policymakers

THE UNIVERSITY OF TEXAS AT EL PASO

Location: El Paso, Upper Rio Grande Region

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

Out-Of-State Peers: University Of Akron Main Campus, University Of Memphis, University Of Nevada-Las Vegas, University Of New Mexico-Main Campus, University Of Oklahoma-Norman Campus

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

[Institutional Resumes](#)

[Accountability System](#)

[Definitions](#)

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Enrollment						
Race/Ethnicity	Fall 2017		Fall 2021		Fall 2022	
	Number	Percent	Number	Percent	Number	Percent
White	1,863	7.4%	1,421	5.9%	1,263	5.3%
Hispanic	20,065	80.2%	20,080	83.7%	20,141	84.3%
African American	788	3.1%	636	2.6%	583	2.4%
Asian	264	1.1%	244	1.0%	213	.9%
International	1,795	7.2%	1,313	5.5%	1,294	5.4%
Other & Unknown	245	1.0%	309	1.3%	386	1.6%
Total	25,020	100.0%	24,003	100.0%	23,880	100.0%
TX First Time Transfers	Number	% of UG	Number	% of UG	Number	% of UG
	1,321	6.2%	1,132	5.6%	1,070	5.3%
Two-Year Institutions	Number	% of UG	Number	% of UG	Number	% of UG
	125	.6%	111	.6%	100	.5%

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	\$7,651	.0%	\$10,443	.0%
2019	\$8,067	5.4%	\$10,712	2.6%
2020	\$8,340	3.4%	\$11,011	2.8%
2021	\$8,652	3.7%	\$11,455	4.0%
2022	\$8,947	3.4%	\$11,762	2.7%
2023	\$8,947	.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	37%	\$6,094	41%	\$6,704	40%	\$6,885
2021	32%	\$6,135	38%	\$6,753	37%	\$7,009
Federal, State, Institutional or Other Grants Known by Institutions						
2020	72%	\$7,362	66%	\$8,028	80%	\$7,050
2021	78%	\$7,851	65%	\$8,509	80%	\$7,387
Federal (Pell) Grants						
2020	56%	\$4,652	38%	\$4,753	33%	\$4,700
2021	57%	\$4,676	36%	\$4,726	33%	\$4,754

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		3,004	2,942	2,717	Fall 2013 4-year	14.1%	34.4%
Total		80.7%	77.6%	80.7%	Fall 2017 4-year	22.5%	43.2%
Same		73.9%	69.9%	75.3%	Fall 2018 4-year	23.8%	42.9%
Other		6.8%	7.7%	5.4%	Fall 2012 5-year	34.4%	54.6%
Two-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates					Fall 2016 5-year	40.8%	60.5%
		Enter Fall 2015	Enter Fall 2019	Enter Fall 2020	Fall 2017 5-year	41.0%	60.7%
Institution Persistence					Fall 2011 6-year	43.5%	60.8%
Cohort		2,925	3,042	2,915	Fall 2015 6-year	48.5%	66.7%
Total		74.3%	74.4%	70.7%	Fall 2016 6-year	50.4%	66.6%
Same		65.0%	67.8%	61.4%	National Comparison (IPEDS Definition)		
Other		9.2%	6.7%	9.3%	Cohort	Institution Rate	OOS Peers Rate
Peer Group Persistence					Fall 2012 4-year	15.0%	20.2%
Cohort		4,012	4,707	4,460	Fall 2016 4-year	18.0%	25.8%
Total		82.5%	81.6%	79.9%	Fall 2017 4-year	18.0%	31.4%
Same		67.8%	70.6%	68.6%	Fall 2011 5-year	31.0%	40.2%
Other		14.7%	10.9%	11.2%	Fall 2015 5-year	36.0%	45.0%
Average Number of Fall & Spring Semesters and SCH Attempted for Bachelor's Degree					Fall 2016 5-year	37.0%	50.6%
					Fall 2010 6-year	39.0%	47.6%
					Fall 2014 6-year	44.0%	55.0%
					Fall 2015 6-year	45.0%	55.8%
Institution Grade	Sam	SCH	Peer Group Average Grade		Sam	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	2,504	11.60	140.00	4,194	10.62	138.12
FY 2021	2,948	10.60	136.00	4,850	9.82	134.25
FY 2022	2,863	10.40	133.00	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	1,191	50.4%
Peer Group	495	56.8%
<i>For Students NOT Needing Dev Ed</i>		
Institution	1,813	71.9%
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	\$124,780,258	32.9%	\$133,335,593	25.7%	\$150,749,922	29.8%
Federal Funds	\$110,666,762	29.2%	\$206,524,165	39.7%	\$168,836,245	33.4%
Tuition & Fees	\$106,210,683	28.0%	\$140,269,683	27.0%	\$139,778,971	27.6%
Institution	\$37,264,966	9.8%	\$39,635,683	7.6%	\$46,475,144	9.2%
Total Revenue	\$378,922,669	100.0%	\$519,765,124	100.0%	\$505,840,282	100.0%

Online Resume for Prospective Students, Parents and the Public

THE UNIVERSITY OF TEXAS AT EL PASO

Location: El Paso, Upper Rio Grande Region

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

Out-Of-State Peers: University Of Akron Main Campus, University Of Memphis, University Of Nevada-Las Vegas, University Of New Mexico-Main Campus, University Of Oklahoma-Norman Campus

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

[Institutional Resumes](#)

[Accountability System](#)

[Definitions](#)

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Enrollment		
Race/Ethnicity	Fall 2022	
	Number	Percent
White	1,263	5.3%
Hispanic	20,141	84.3%
African American	583	2.4%
Asian	213	.9%
International	1,294	5.4%
Other & Unknown	386	1.6%
Total	23,880	100.0%
TX First Time Transfers		
Number	% of UG	
Two-Year Institutions	1,070	5.3%
Other Institutions	100	.5%

Baccalaureate Success			
Graduation Rate of First-time, Full-time Degree-seeking Students			
Entering			
Measure	Fall	Rate	
4-year Rate Total	2018	23.8%	
Same Institution		23.0%	
Other Institutions		.8%	
5-year Rate Total	2017	41.0%	
Same Institution		38.1%	
Other Institutions		2.9%	
6-year Rate Total	2016	50.4%	
Same Institution		47.3%	
Other Institutions		3.1%	
Grad Rates by Ethnicity			

1-Year Persistence, Fall 2021	
Total	80.7%
Same	75.3%
Other	5.4%
2-Year Persistence, Fall 2020	
Total	70.7%
Same	61.4%
Other	9.3%

Avg Number SCH for Bachelor's Degree	
FY 2022 Average	
Sem	SCH
All	10.40 133.00

Degrees Awarded	
Type	FY 2022
Bachelor's	3,874
Master's	1,175
Doctoral	131
Professional	87
Total	5,267

[Degrees by Ethnicity](#)

First-time Licensure or Certification Examination Pass Rate	
FY 2022	
Field	Rate
Law	%
Pharmacy	%
Nursing	89.9%
Engineering	44.1%

*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	365	100.0%	26.8%
African American	230	100.0%	21.7%
Hispanic	9,141	100.0%	36.9%
Asian	96	100.0%	27.1%
International	315	98.7%	42.4%
Other	370	99.7%	28.2%
Total	10,517	99.9%	36.0%

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	
2018	\$7,651	.0%	\$10,841	.0%	Type of Cost
2019	\$8,067	5.2%	\$11,090	2.2%	
2020	\$8,340	3.3%	\$11,393	2.7%	Total Academic Cost
2021	\$8,652	3.6%	\$11,856	3.9%	On-campus Room & Board
2022	\$8,947	3.3%	\$12,164	2.5%	Books & Supplies
2023	\$8,947	.0%	\$12,199	.3%	Off-Campus Transportation & Personal Expenses
					Total Cost
					\$23,840

[Rates of Tuition per SCH](#)

[Mandatory Fees](#)

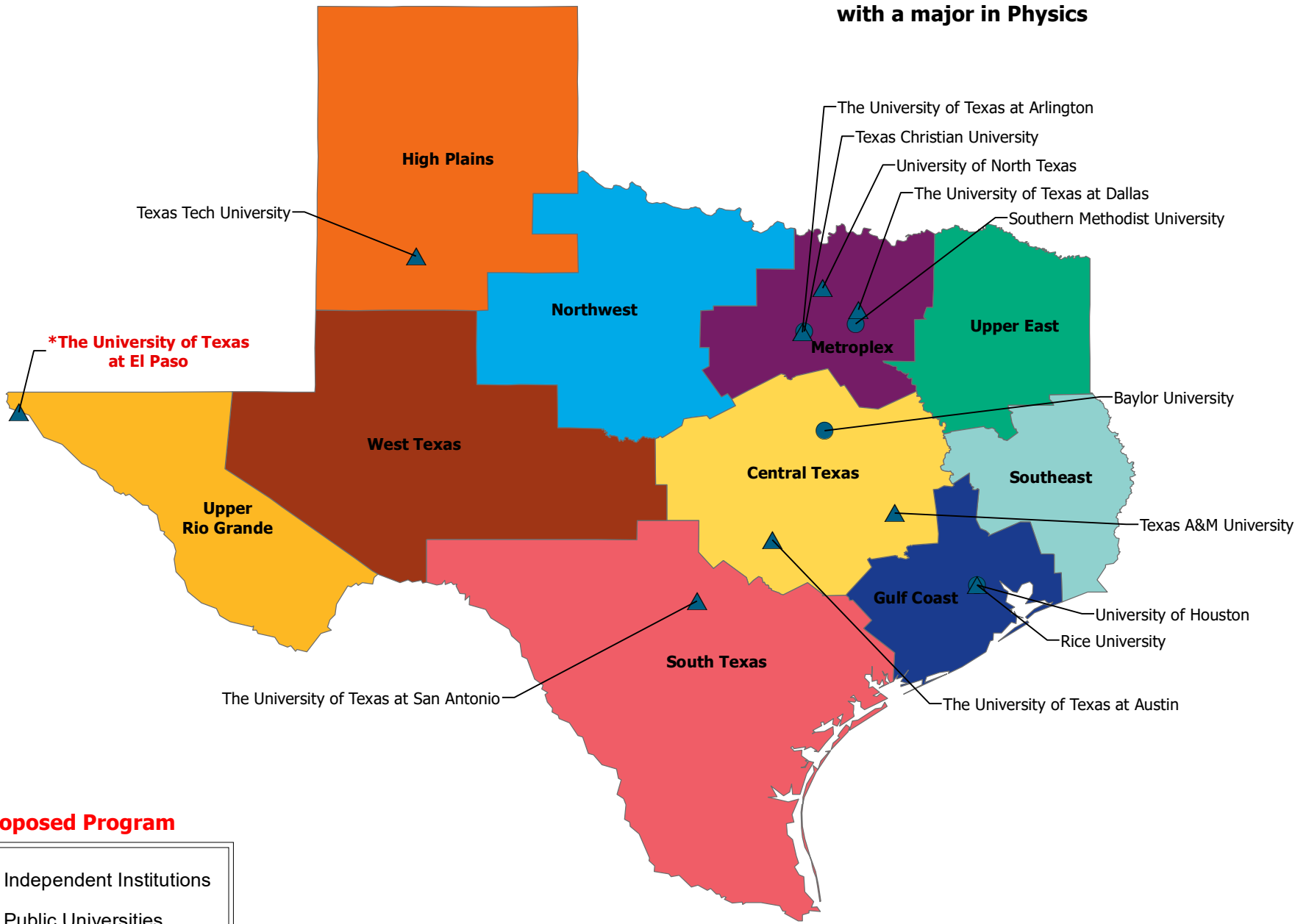
Instruction		
Measure of Excellence	Fall 2022	
Undergraduate Classes with < 20 Students	31.5%	
Undergraduate Classes with > 50 Students	16.2%	
% of Teaching Faculty Tenured/Tenure-track *	44.1%	
Student/Faculty Ratio *	25:1	

* Fall 2021 Data

Financial Aid		
Enrolled in FY 2021		
Type of Aid	% of UGs Receiving	Average Amount
Grants or Scholarships	78%	\$7,851
Federal (Pell) Grants	57%	\$4,676
Federal Student Loans	32%	\$6,135

Funding		
Source	FY 2022 Amount	Pct of Total
Appropriated Funds	\$150,749,922	29.8%
Federal Funds	\$168,836,245	33.4%
Tuition & Fees	\$139,778,971	27.6%
Institution	\$46,475,144	9.2%
Total Revenue	\$505,840,282	100.0%

**Proposal for a Doctor of Philosophy (PhD) degree
with a major in Physics**



*** Proposed Program**

- Independent Institutions
- ▲ Public Universities

Committee on Academic and Workforce Success

AGENDA ITEM V-G (2)

Consideration and possible action to approve the request from The University of Texas Medical Branch at Galveston for a Doctor of Nursing Practice (DNP) in Nurse Anesthesia

RECOMMENDATION: Approval, beginning fall 2024

Program Summary:

The University of Texas Medical Branch at Galveston (UTMB) is seeking approval to offer a Doctor of Nursing Practice (DNP) degree program in Nurse Anesthesia (51.3804) that would begin in fall 2024. The proposed program would be offered face-to-face to students in Galveston. If approved, the program would be the eighth nurse anesthesia program in Texas. The institution is seeking accreditation for the program from the Council on Accreditation of Nurse Anesthesia Educational Programs (COA).

Program Demand and Student Support

Estimated average annual <i>per student</i> costs*	Resident: \$39,309 Nonresident: \$61,669
Estimated average annual <i>per student</i> institutional financial support**	\$600
Projected state post-graduation first year annual earnings	\$158,191
Number of existing Texas doctoral programs in related fields	7
Minimum SCHs required for completion	112 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
Nurse Anesthesia, DNP	Baylor University*	Central
Nurse Anesthesia, DNP	Baylor College of Medicine (Houston)	Gulf Coast
Nurse Anesthesia, DNP	Texas Christian University	Metroplex
Nurse Anesthesia, DNP	Texas Wesleyan University	Metroplex
Nurse Anesthesia, DNP	The University of Texas Health Science Center at Houston	Gulf Coast
Nurse Anesthesia, DNP	The University of Texas Health Science Center at San Antonio	Gulf Coast
Nurse Anesthesia, DNP	The University of Texas at Tyler	Upper East

*US Army graduate program in nursing anesthesia only accepts active-duty nurses.

Labor Market Demand

Nurse anesthetists are the highest paid nurse practitioners, earning an average starting salary of \$158,191 in Texas. To practice anesthesia, nurses must hold a DNP in Nurse Anesthesia from a COA-accredited program and pass a national certification exam to become a Certified Registered Nurse Anesthetist (CRNA). Existing DNP in Nurse Anesthesia programs in Texas are at capacity. Admission data from 2020 show Texas institutions received 1,120 qualified applicants for just 205 available positions.

The job outlook for CRNAs is positive. The Bureau of Labor Statistics (BLS) and Texas Workforce Commission (TWC) predict an above-average growth for CRNA positions through 2030.

Academic Quality/Site Visit Summary

External reviewers assessed the program on October 17, 2023, and found UTMB's School of Nursing is well positioned to offer the DNP in Nurse Anesthesia, with adequate faculty, clinical affiliations, and other resources in place. The institution responded to all recommendations in the site visit report.

Projected 5-Year Enrollments, Costs, and Funding

	Year 1	Year 2	Year 3	Year 4	Year 5	5-Year Total
Projected Cumulative Headcount	10	25	43	51	55	184
Estimated Total Costs	\$1,017,745	\$1,163,171	\$1,274,780	\$1,319,983	\$1,422,785	\$6,198,464
Estimated Total Funding	\$395,734	\$1,086,149	\$1,637,752	\$2,441,226	\$2,516,874	\$8,077,736
Net Funding	(\$622,011)	(\$77,022)	\$362,972	\$1,121,243	\$1,094,089	\$1,879,272

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

UT MEDICAL BRANCH-GALVESTON

Location: Galveston, Gulf Coast Region

Health Related Institution Accountability Peer Group: Texas A&M System HSC, Texas Tech Univ HSC, Texas Tech Univ HSC - El Paso, UNT HSC, UT Austin Dell Medical School, UT HSC Houston, UT HSC San Antonio, UT HSC Tyler, UT M. D. Anderson Cancer Center, UT Southwestern Medical Center, UTRGV - Medical School

Out-Of-State Peers: Georgia Health Sciences University, Louisiana State University Health Sciences Center-, Medical University Of South Carolina, University Of California-San Francisco, University Of Oklahoma Health Science Center

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

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Enrollment			
Category	Fall 2017	Fall 2021	Fall 2022
Medical School Students	945	931	935
Total Enrollment	3,302	3,377	3,291
Physicians Certified in Residency	575	630	650

Costs				
Average Annual Total Academic Costs for Resident Full-time Student				
Undergraduate Student			Graduate Student	
Year	Institution	Peer Group	Institution	Peer Group
FY 2018	\$7,132	\$4,925	\$4,592	\$6,540
FY 2022	\$9,880	\$7,360	\$12,873	\$7,144
FY 2023	\$10,067	\$9,130	\$8,116	\$7,289

Student Success									
Nursing and Allied Health Degrees Awarded						National Data: Nursing or Allied Health Degrees Awarded			
FY 2017		FY 2021		FY 2022		FY 2016		FY 2020	
Type	Peer Institution	Peer Group	Institution	Peer Group	Institution	Institution	Out-of-state Peers Ave.	Institution	Out-of-state Peers Ave.
Bachelor's	448	329	431	327	413	316			
Master's	315	144	355	189	300	190			
Doctoral	20	12	51	23	102	38			
Professional	96	33	77	31	89	31			

Research Expenditures	
Year	Amount
FY 2017	\$149,786,313
FY 2021	\$161,572,993
FY 2022	\$171,977,460

Percent of Medical School Students Practicing Primary Care in Texas after Graduation		
Year	Institution	Peer Group
FY 2017	20.00%	25.85%
FY 2021	15.90%	21.52%
FY 2022	26.20%	23.46%

Pass Rate of Medical School Students on Part 1 or Part 2 of Any Examination for a Medical License		
Year	Institution	Peer Group
FY 2017	98.00%	96.00%
FY 2021	99.00%	97.77%
FY 2022	95.20%	97.28%

Funding			
Total Appropriated Funds Including Faculty and Staff Health and Retirement		Total Amount of Money from Any Source Available in FY	
Year	Amount	Year	Amount
FY 2018	\$380,383,100	FY 2018	\$814,795,307
FY 2021	\$333,025,528	FY 2021	\$867,054,902
FY 2022	\$392,636,564	FY 2022	\$947,374,184

Online Resume for Prospective Students, Parents and the Public

UT MEDICAL BRANCH-GALVESTON

Location: Galveston, Gulf Coast Region

Health Related Institution Accountability Peer Group: Texas A&M System HSC, Texas Tech Univ HSC, Texas Tech Univ HSC - El Paso, UNT HSC, UT Austin Dell Medical School, UT HSC Houston, UT HSC San Antonio, UT HSC Tyler, UT M. D. Anderson Cancer Center, UT Southwestern Medical Center, UTRGV - Medical School

Out-Of-State Peers: Georgia Health Sciences University, Louisiana State University Health Sciences Center-, Medical University Of South Carolina, University Of California-San Francisco, University Of Oklahoma Health Science Center

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

[Institutional Resumes](#)

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Enrollment						
Fall 2022						
Race/Ethnicity	Total Students		Medical Students		Physicians Certified in Residency*	
	Number	% of Total	Number	% of Total	Number	% of Total
White	1,319	40.1%	280	29.9%	257	39.5%
Hispanic	703	21.4%	217	23.2%	52	8.0%
African American	338	10.3%	88	9.4%	24	3.7%
Asian/Pacific Isl.	706	21.5%	264	28.2%	197	30.3%
International	49	1.5%	0	.0%	93	14.3%
Other & Unknown	176	5.3%	86	9.2%	27	4.2%
Total	3,291	100.0%	935	100.0%	650	100.0%

* Data for FY 2023

Costs	
Annual Academic Costs for Full-time Resident Student, FY 2023	
Type of Cost	Average Amount
Undergraduate	\$10,067
Graduate	\$8,116
First-time Medical Student	\$25,913

[Rates of Tuition per SCH](#)

[Mandatory Fees as Defined by CB](#)

[Amount & Percent of Tuition Increase \(UGrad\)](#)

[Amount & Percent of Tuition Increase \(Grad\)](#)

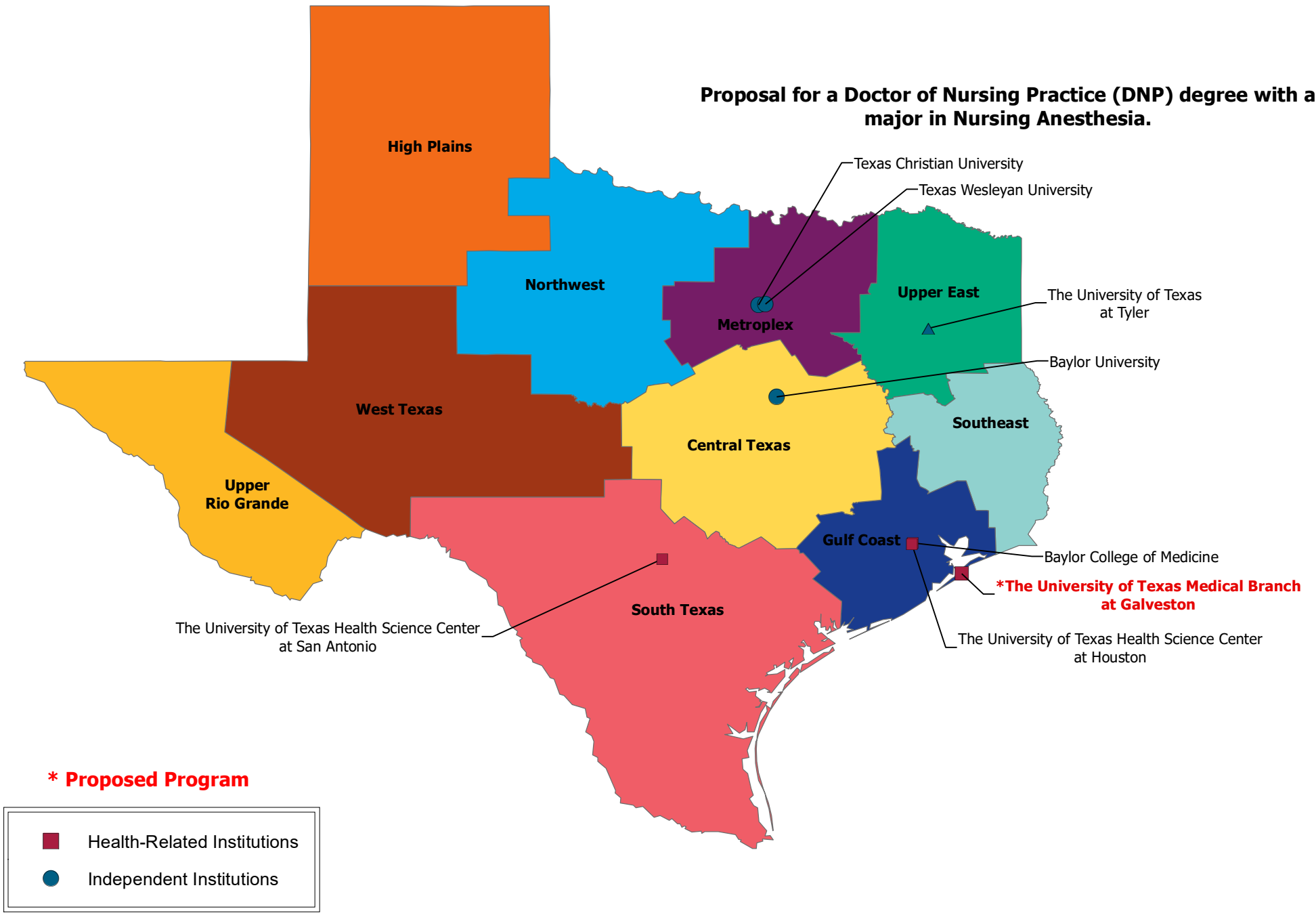
Financial Aid		
Need-based Aid for Graduate Students (GS)		
Fall 2021		
Type of Aid	% of GSs Receiving	Average Amount
Grants or Scholarships	17.7%	\$526
Loans		.
Work Study	2.6%	\$74
Grants, Scholarships, Loans or Workstudy	19.5%	\$601

Student Success								
Pass Rate of Medical School Students on Part 1 or Part 2 of Any Examination for a Medical License			Percent of Medical School Students Practicing Primary Care in Texas after Graduation			Nursing and Allied Health Degrees, FY 2022		
						Year	Institution	Peer Group
Year	Institution	Peer Group	Year	Institution	Peer Group	Bachelor's	413	316
FY 2022	95.20%	97.28%	FY 2022	26.20%	23.46%	Master's	300	190
						Doctoral	102	38
						Professional	89	31

First-time Licensure or Certification Examination Pass Rate		
FY 2022		
Field	Institution	Peer Group
Dental	N/A	94.4%
Allied Health	94.0%	93.4%
Nursing	98.4%	93.0%
Pharmacy	N/A	79.4%
Medical	95.2%	97.3%

Research Expenditures	
Year	Amount
FY 2022	\$171,977,460

Proposal for a Doctor of Nursing Practice (DNP) degree with a major in Nursing Anesthesia.



Committee on Academic and Workforce Success

AGENDA ITEM V-G (3)

Consideration and possible action to approve the request from The University of Texas Rio Grande Valley for a Doctor of Philosophy (PhD) in Computer Science with Interdisciplinary Applications

RECOMMENDATION: Approval, beginning fall 2024

Program Summary:

The University of Texas Rio Grande Valley (UT-RGV) is seeking approval to offer a Doctor of Philosophy (PhD) degree program in Computer Science with Interdisciplinary Applications (11.0701) that would begin in fall 2024. The proposed program would be offered face-to-face to students in Rio Grande Valley. If approved, the program would be the seventh doctoral program in computer science in Texas.

Program Demand & Student Support

Estimated average annual <i>per student</i> costs*	Resident: \$10,663 Nonresident: \$18,223
Estimated average annual <i>per student</i> institutional financial support**	\$38,033
Projected state post-graduation first year annual earnings	\$88,000
Number of existing Texas doctoral programs in related fields	14
Minimum SCHs required for completion	54 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
Computer Science, PhD	Baylor University	Central Texas
Computer Science, PhD	Southern Methodist University	Metroplex
Computer Science, PhD	Texas A&M University	Central Texas
Computer Science, PhD	Texas State University	Central Texas
Computer Science, PhD	The University of Texas at El Paso	Upper Rio Grande
Computer Science, PhD	The University of Texas at San Antonio	South Texas

Labor Market Demand

The job outlook for computer science faculty and researchers is promising. The Bureau of Labor Statistics and Texas Workforce Commission (TWC) predict above-average growth in computer science faculty positions through 2030, with the TWC anticipating an average of 328 computer science faculty vacancies each year. In 2021, Texas public institutions combined produced 124 students, far fewer graduates than needed to fill annual job vacancies.

Academic Quality/Site Visit Summary

External reviewers assessed the program on October 5, 2023, and found a strong national and regional need for the PhD program. The review team commended UTRGV for its academic and financial support of the program and highlighted the commitment and enthusiasm demonstrated by faculty and students toward the creation of the PhD program. The institution responded to all recommendations in the site visit report.

Projected 5-Year Enrollments, Costs, and Funding

	Year 1	Year 2	Year 3	Year 4	Year 5	5-Year Total
Projected Cumulative Headcount	10	25	43	51	55	184
Estimated Total Costs	\$764,342	\$958,970	\$1,268,478	\$1,313,680	\$1,416,483	\$5,721,953
Estimated Total Funding	\$0	\$452,322	\$1,222,352	\$1,803,622	\$2,695,542	\$6,173,383
Net Funding	(\$764,342)	(\$506,648)	(\$46,126)	\$489,942	\$1,279,059	\$451,430

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

THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY

Location: Edinburg, South Texas Region

Doctoral Accountability Peer Group: Sam Houston State Univ, Texas A&M - Commerce, Texas A&M - Corpus Christi, Texas A&M - Kingsville, Texas Southern Univ, Texas Woman's Univ

Out-Of-State Peers: East Carolina University, East Tennessee State University, Florida Atlantic University-Boca Raton, New Mexico State University, University Of North Carolina At Greensboro

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

[Institutional Resumes](#)

[Accountability System](#)

[Definitions](#)

[Institution Home Page](#)

Enrollment						
Race/Ethnicity	Fall 2017		Fall 2021		Fall 2022	
	Number	Percent	Number	Percent	Number	Percent
White	857	3.1%	1,018	3.2%	936	3.0%
Hispanic	24,777	89.4%	28,912	91.2%	28,589	91.3%
African American	200	.7%	271	.9%	251	.8%
Asian	366	1.3%	422	1.3%	398	1.3%
International	787	2.8%	789	2.5%	822	2.6%
Other & Unknown	721	2.6%	306	1.0%	321	1.0%
Total	27,708	100.0%	31,718	100.0%	31,317	100.0%
TX First Time Transfers	Number		Number		Number	
	% of UG		% of UG		% of UG	
Two-Year Institutions	1,119	4.6%	965	3.7%	886	3.4%
Other Institutions	584	2.4%	504	1.9%	577	2.2%

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	\$7,587	.0%	\$8,781	.0%
2019	\$7,813	3.0%	\$9,071	3.3%
2020	\$8,132	4.1%	\$9,340	3.0%
2021	\$8,917	9.7%	\$9,744	4.3%
2022	\$9,541	7.0%	\$9,922	1.8%
2023	\$9,541	.0%	\$9,773	-1.5%

Financial Aid						
Fiscal Year	Institution		Peer Group		OOS Peer Group	
	Percent	Avg Amt	Percent	Avg Amt	Percent	Avg Amt
Federal Student Loans						
2020	34%	\$5,161	49%	\$6,831	43%	\$6,090
2021	28%	\$4,976	44%	\$6,672	39%	\$6,011
Federal, State, Institutional or Other Grants Known by Institutions						
2020	84%	\$8,061	74%	\$7,263	69%	\$8,877
2021	85%	\$7,344	74%	\$7,785	72%	\$8,854
Federal (Pell) Grants						
2020	64%	\$5,466	48%	\$4,980	40%	\$5,104
2021	63%	\$5,224	47%	\$4,923	39%	\$5,176

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		3,616	4,851	4,239	Fall 4-year	.0%	25.8%
Total		85.8%	78.6%	81.0%	Fall 2017 4-year	31.1%	28.5%
Same		78.8%	71.7%	75.6%	Fall 2018 4-year	32.7%	30.4%
Other		6.9%	6.9%	5.4%	Fall 5-year	.0%	39.6%
Two-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates					Fall 2016 5-year	49.2%	47.2%
		Enter Fall 2015	Enter Fall 2019	Enter Fall 2020	Fall 2017 5-year	46.4%	44.0%
Institution Persistence					Fall 6-year	.0%	45.9%
Cohort		3,759	4,394	4,762	Fall 2015 6-year	55.0%	53.0%
Total		78.3%	76.9%	71.4%	Fall 2016 6-year	57.0%	53.5%
Same		68.5%	69.0%	61.0%	National Comparison (IPEDS Definition)		
Other		9.8%	7.9%	10.5%	Cohort	Institution Rate	OOS Peers Rate
Peer Group Persistence					Fall 2012 4-year	19.0%	21.5%
Cohort		1,902	1,918	1,756	Fall 2016 4-year	24.0%	34.2%
Total		75.1%	72.6%	71.0%	Fall 2017 4-year	25.0%	36.2%
Same		58.6%	59.6%	56.9%	Fall 2011 5-year	35.0%	40.0%
Other		16.5%	13.0%	14.1%	Fall 2015 5-year	41.0%	52.0%
					Fall 2016 5-year	42.0%	52.0%
					Fall 2010 6-year	41.0%	47.3%
					Fall 2014 6-year	47.0%	56.2%
					Fall 2015 6-year	51.0%	55.6%
Average Number of Fall & Spring Semesters and SCH Attempted for Bachelor's Degree							
Institution			Peer Group Average				
Grade	Sem	SCH	Grade	Sem	SCH		

Six-year Graduation & Persistence Rate, Fall 2016		
Student Group	Cohort	Rate
<i>For Students Needing Dev Ed</i>		
Institution	344	44.2%
Peer Group	579	44.7%
<i>For Students NOT Needing Dev Ed</i>		
Institution	3,272	70.1%
Peer Group	1,336	70.2%

*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	\$163,777,214	42.0%	\$152,832,944	25.4%	\$179,468,972	33.1%
Federal Funds	\$106,936,640	27.4%	\$246,799,186	41.1%	\$208,762,937	38.5%
Tuition & Fees	\$94,370,627	24.2%	\$127,994,340	21.3%	\$113,822,317	21.0%
Institution	\$24,659,511	6.3%	\$72,972,468	12.1%	\$40,193,945	7.4%
Total Revenue	\$389,743,992	100.0%	\$600,598,938	100.0%	\$542,248,171	100.0%

Online Resume for Prospective Students, Parents and the Public

THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY

Location: Edinburg, South Texas Region

Doctoral Accountability Peer Group: Sam Houston State Univ, Texas A&M - Commerce, Texas A&M - Corpus Christi, Texas A&M - Kingsville, Texas Southern Univ, Texas Woman's Univ

Out-Of-State Peers: East Carolina University, East Tennessee State University, Florida Atlantic University-Boca Raton, New Mexico State University, University Of North Carolina At Greensboro

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

[Institutional Resumes](#)

[Accountability System](#)

[Definitions](#)

[Institution Home Page](#)

Enrollment		
Race/Ethnicity	Fall 2022 Number	Percent
White	936	3.0%
Hispanic	28,589	91.3%
African American	251	.8%
Asian	398	1.3%
International	822	2.6%
Other & Unknown	321	1.0%
Total	31,317	100.0%
TX First Time Transfers	Number	% of UG
Two-Year Institutions	886	3.4%
Other Institutions	577	2.2%

Baccalaureate Success		
Graduation Rate of First-time, Full-time Degree-seeking Students Entering		
Measure	Fall	Rate
4-year Rate Total	2018	32.7%
Same Institution		31.1%
Other Institutions		1.6%
5-year Rate Total	2017	46.4%
Same Institution		43.1%
Other Institutions		3.3%
6-year Rate Total	2016	57.0%
Same Institution		52.5%
Other Institutions		4.5%
Grad Rates by Ethnicity		

1-Year Persistence, Fall 2021	
Total	81.0%
Same	75.6%
Other	5.4%
2-Year Persistence, Fall 2020	
Total	71.4%
Same	61.0%
Other	10.5%

Avg Number SCH for Bachelor's Degree		
FY 2022 Average		
Sem	SCH	
All	9.20	133.00

Degrees Awarded	
Type	FY 2022
Bachelor's	4,756
Master's	2,056
Doctoral	43
Professional	0
Total	6,855

[Degrees by Ethnicity](#)

First-time Licensure or Certification Examination Pass Rate	
Field	FY 2022 Rate
Law	%
Pharmacy	%
Nursing	92.1%
Engineering	40.0%

*Data for FY 2021

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

Application for First-time Undergraduate Admission Fall 2022			
Race/Ethnicity	Applicants	Accepted	Enrolled
White	281	89.3%	34.3%
African American	203	83.7%	21.8%
Hispanic	12,814	87.6%	48.7%
Asian	141	92.9%	39.7%
International	80	100.0%	96.3%
Other	225	86.7%	26.7%
Total	13,744	87.7%	47.8%

Costs				
Average Annual Academic Costs for Resident Undergraduate Student Taking 30 SCH				
Fiscal Year	Institution Average	Percent Increase	Peer Group Average	Percent Increase
2018	\$7,587	.0%	\$8,980	.0%
2019	\$7,813	2.9%	\$9,281	3.2%
2020	\$8,132	3.9%	\$9,541	2.7%
2021	\$8,917	8.8%	\$9,882	3.5%
2022	\$9,541	6.5%	\$9,985	1.0%
2023	\$9,541	.0%	\$9,811	-1.8%

Annual Costs for Resident Undergraduate Student Taking 30 SCH, FY 2023	
Type of Cost	Average Amount
Total Academic Cost	\$9,541
On-campus Room & Board	\$8,887
Books & Supplies	\$1,196
Off-Campus Transportation & Personal Expenses	\$3,621
Total Cost	\$23,245

[Rates of Tuition per SCH](#)

[Mandatory Fees](#)

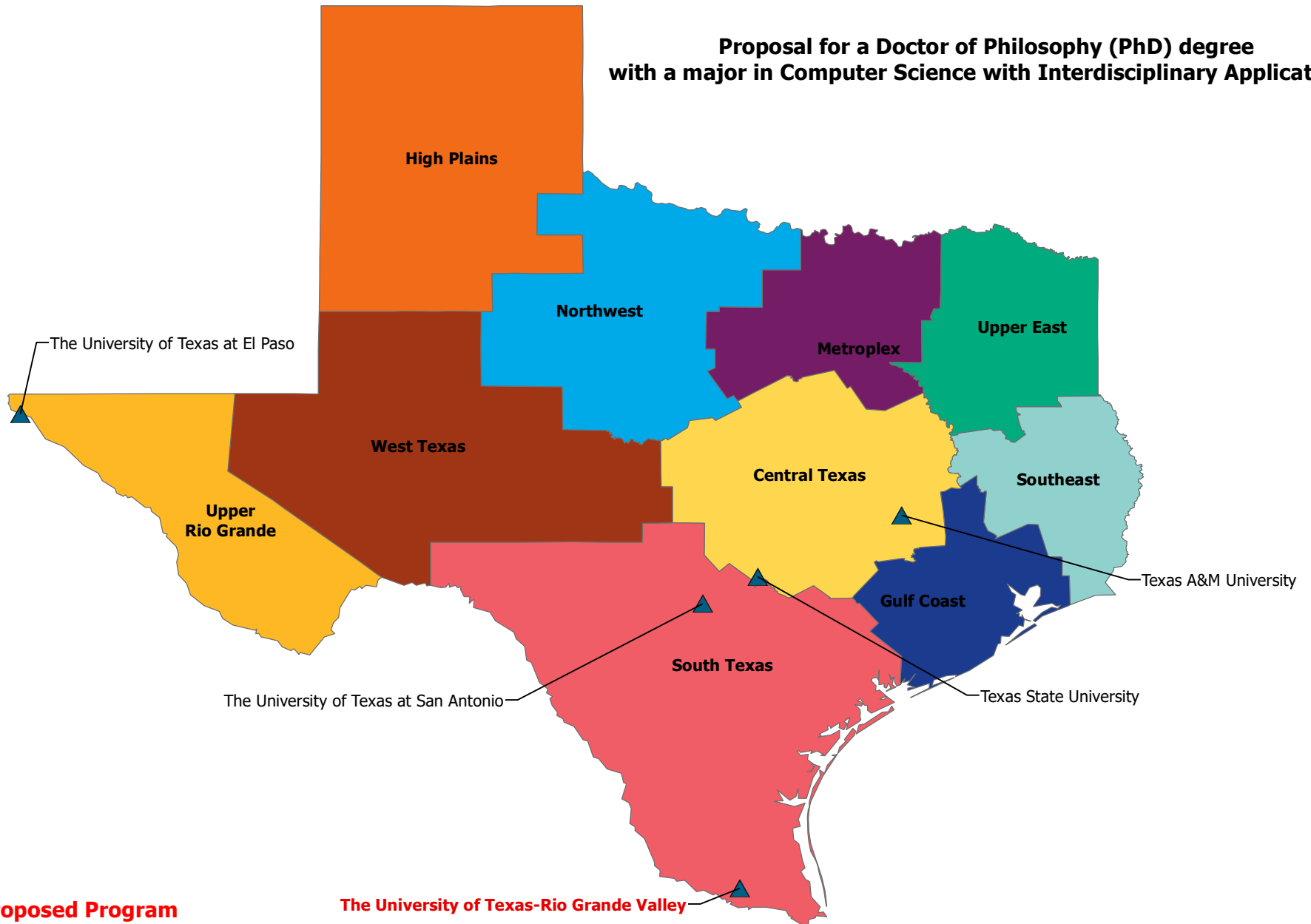
Instruction	
Measure of Excellence	Fall 2022
Undergraduate Classes with < 20 Students	25.9%
Undergraduate Classes with > 50 Students	15.0%
% of Teaching Faculty Tenured/Tenure-track *	39.4%
Student/Faculty Ratio *	26:1

* Fall 2021 Data

Financial Aid		
Enrolled in FY 2021		
Type of Aid	% of UGs Receiving	Average Amount
Grants or Scholarships	85%	\$7,344
Federal (Pell) Grants	63%	\$5,224
Federal Student Loans	28%	\$4,976

Funding		
Source	FY 2022 Amount	Pct of Total
Appropriated Funds	\$179,468,972	33.1%
Federal Funds	\$208,762,937	38.5%
Tuition & Fees	\$113,822,317	21.0%
Institution	\$40,193,945	7.4%
Total Revenue	\$542,248,171	100.0%

**Proposal for a Doctor of Philosophy (PhD) degree
with a major in Computer Science with Interdisciplinary Applications**



*** Proposed Program**

▲ Public Universities

Committee on Academic and Workforce Success

AGENDA ITEM V-H (1)

Consideration and possible action to adopt amendments to Board Rules, Chapter 2, Subchapter E, Section 2.87, and new rules in Board Rules, Chapter 4, Subchapter J, Sections 4.191-4.192, concerning institutional accreditation requirements

RECOMMENDATION: Adoption

Background Information:

The Texas Higher Education Coordinating Board proposes to amend rules in Texas Administrative Code, Title 19, Part 1, Chapter 2, Subchapter E, Section 2.87, concerning approval of baccalaureate degrees at public junior colleges, and new rules in Texas Administrative Code, Title 19, Part 1, Chapter 4, Subchapter J, concerning recognized institutional accreditors. Specifically, the amended section in 2.87 authorizes a public junior college with a baccalaureate degree the ability to change accreditors if it has already been approved by the Commission on Colleges of the Southern Association of Colleges and Schools. The new Subchapter J supports the U.S. Department of Education's decision to allow regional accrediting organizations to accredit institutions anywhere in the country.

These changes align with Texas Education Code, Sections 61.051 and 61.003(13), which provide the Board with authority to coordinate higher education and designate recognized accreditation organizations.

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*: October 13, 2023.

The 30-day comment period with the *Texas Register* ended on: November 12, 2023.

No comments were received regarding this rule.

CHAPTER 2:
ACADEMIC AND WORKFORCE EDUCATION

SUBCHAPTER E:
APPROVAL PROCESS FOR NEW BACCALAUREATE PROGRAMS AT PUBLIC JUNIOR
COLLEGES

Rule 2.87 Criteria for New Baccalaureate Degree Programs

(a) The Board may authorize baccalaureate degree programs at a public junior college in the fields of applied science, including a degree program in applied science with an emphasis on early childhood education, applied technology, or nursing, that have a demonstrated workforce need.

(b) All proposed baccalaureate degree programs must meet the criteria set out in this subsection, in addition to the general criteria in subchapter A, §2.5 (relating to General Criteria for Program Approval), and subchapter F, §2.118 (relating to Post-Approval Program Reviews), of this chapter.

(c) Each public junior college seeking to offer a baccalaureate degree program must comply with the requirements and limitations specified in Tex. Educ. Code, chapter 130, subchapter L.

(d) A public junior college offering a baccalaureate degree program must meet all applicable accreditation requirements of the Commission on Colleges of the Southern Association of Colleges and Schools. A public junior college that has attained accreditation by the Commission on Colleges of the Southern Association of Colleges and Schools is authorized to change accreditors to any accrediting agency approved by the Board under chapter 4, subchapter J of the Board's rules.

SUBCHAPTER J:
ACCREDITATION

§4.191 Authority

The authority for this subchapter is Texas Education Code, §61.051 and §61.003(13) which provides the board with authority to coordinate higher education and designate recognized accreditation organizations.

§4.192 Recognized Accreditation Organizations

The board recognizes institutions of higher education that offer an associate degree or higher, by one of the following organizations:

1. Higher Learning Commission;
2. New England Commission of Higher Education;
3. Northwest Commission of Colleges and Universities;
4. Middle States Commission on Higher Education;
5. Southern Association of Colleges and Schools Commission on Colleges;

6. Western Association of Schools and Colleges Accrediting Commission for Senior Colleges and Universities; or
7. Western Association of Schools and Colleges Accrediting Commission for Community and Junior Colleges;
8. This also includes any revisions to the names of these organizations moving forward.

Committee on Academic and Workforce Success

AGENDA ITEM V-H (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

RECOMMENDATION: Adoption

Background Information:

The Texas Higher Education Coordinating Board proposes revisions to Texas Administrative Code, Title 19, Part 1, Chapter 2, Subchapter J, Section 2.202. concerning approval of distance education for public institutions. Specifically, this amendment will correct the definition of “hybrid program” to align with the overall definition of “distance education degree or certificate program” that went into effect May 18, 2023. The amendment is proposed under Texas Education Code, Section 61.0512(g), which provides the Coordinating Board with the authority to approve distance learning courses offered by institutions of higher education.

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

Date published in the *Texas Register*: October 13, 2023

The 30-day comment period with the *Texas Register* ended on: November 12, 2023

Summary of comments received: No comments were received regarding these rules.

CHAPTER 2 – ACADEMIC AND WORKFORCE EDUCATION

SUBCHAPTER J – APPROVAL OF DISTANCE EDUCATION FOR PUBLIC INSTITUTIONS

2.202. Definitions.

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise. The definitions in 19 TAC, Chapter 2, Subchapter A, §2.3, apply for this subchapter unless a more specific definition for the same term is indicated in this rule.

(1) Credit course--A college-level course that, if successfully completed, can be applied toward the number of courses required for achieving an academic or workforce degree, diploma, certificate, or other formal award.

(2) Distance Education--The formal educational process that occurs when students and instructors are in separate physical locations for the majority (more than 50 percent) of instruction.

(3) Distance Education Course--A course in which a majority (more than 50 percent) of the instruction occurs when the student(s) and instructor(s) are in separate physical locations. The definition of distance education course does not include courses with 50 percent or less instruction when the student(s) and instructor(s) are in separate physical locations. Two categories of distance education courses are defined:

(A) 100-Percent Online Course--A distance education course in which 100 percent of instructional activity takes place when the student(s) and instructor(s) are in separate physical locations. Requirements for on-campus or in-person orientation, testing, academic support services, internships/fieldwork, or other non-instructional activities do not exclude a course from this category.

(B) Hybrid Course--A distance education course in which more than 50 percent but less than 100 percent of instructional activity takes place when the student(s) and instructor(s) are in separate physical locations.

(4) Distance Education Degree or Certificate Program--A program in which a student may complete a majority (more than 50 percent) of the credit hours required for the program through distance education courses. The definition of a Distance Education Degree or Certificate Program does not include programs in which 50 percent or less of the required credit hours are offered through distance education. Two categories of distance education programs are defined:

(A) 100-Percent Online Program--A degree program in which students complete 100 percent of the credit hours required for the program through 100-Percent Online Courses. Requirements for on-campus or in-person orientation, testing, academic support services, internships/fieldwork, or other non-instructional activities do not exclude a program from this category.

(B) Hybrid Program--A degree program in which students complete more than 50 percent ~~but [or more and]~~ less than 100 percent of the credit hours required for the program through Distance Education Courses.

(5) Institutional Accreditor--A federally recognized institutional accreditor approved by the Department of Education under 20 U.S.C. §1099b.

(6) Institutional Plan for Distance Education ("Plan" or "IPDE")--A plan that an institution must submit for Coordinating Board approval prior to offering a distance education program for the first time. Each institution shall periodically update its plan on a schedule as specified in §2.205 of this subchapter.

(7) Principles of Good Practice for Distance Education--Standards and criteria for distance education delivered by Texas public institutions. This document is reviewed and adopted by the Board every three years in accordance with §2.204 of this subchapter. This document is also known as "Principles of Good Practice for Academic Degree and Certificate Programs and Credit Courses Offered at a Distance."

Committee on Academic and Workforce Success

AGENDA ITEM V-H (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

RECOMMENDATION: Adoption

Background Information:

This amendment adds language prohibiting institutions from counting certain courses toward the limit of six courses that an undergraduate student may drop. The amendment excludes courses dropped while enrolled in a previously completed baccalaureate degree program or while enrolled in dual credit courses as a high school.

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

Date Published in the *Texas Register*: October 13, 2023

The 30-day comment period with the *Texas Register* ended on: November 12, 2023

No comments were received regarding the repeal of this rule.

CHAPTER 4:
RULES APPLYING TO ALL PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN TEXAS

SUBCHAPTER A:
GENERAL PROVISIONS

4.9. Limitations on the Number of Courses ~~that~~ That May ~~be~~ [Be]
Dropped Under [~~under~~] Certain Circumstances ~~by~~ [By] Undergraduate Students.

- (a) Beginning with the fall 2007 academic term, and applying to students who enroll in higher education for the first time during the fall 2007 academic term or any term subsequent to the fall 2007 term, an institution of higher education may not permit an undergraduate student a total of more than six dropped courses, including any course a transfer student has dropped at another institution of higher education, unless:
- (1) the institution has adopted a policy under which the maximum number of courses a student is permitted to drop is less than six; or
 - (2) a disaster declared by the governor results in cessation or limitation of in-person course attendance by students at the institution of a duration determined by the institution to significantly affect the student's ability to participate in course work with consideration of the length of time of the cessation or limitation of in-person course attendance, the type of courses, and the personal circumstances of students affected by the disaster; or
 - (3) the student shows good cause for dropping more than that number, including but not limited to a showing of:
 - (A) a severe illness or other debilitating condition that affects the student's ability to satisfactorily complete the course;
 - (B) the student's responsibility for the care of a sick, injured, or needy person if the provision of that care affects the student's ability to satisfactorily complete the course;
 - (C) the death of a person who is considered to be a member of the student's family or who is otherwise considered to have a sufficiently close relationship to the student that the person's death is considered to be a showing of good cause;

- (D) the active duty service as a member of the Texas National Guard or the armed forces of the United States of either the student or a person who is considered to be a member of the student's family or who is otherwise considered to have a sufficiently close relationship to the student that the person's active military service is considered to be a showing of good cause;
 - (E) the change of the student's work schedule that is beyond the control of the student[,] and that affects the student's ability to satisfactorily complete the course; or
 - (F) other good cause as determined by the institution of higher education.
- (4) the enrollment is for a student who qualifies for a seventh course enrollment, who:
- (A) has reenrolled at the institution following a break in enrollment from the institution or another institution of higher education covering at least the 24-month period preceding the first class day of the initial semester or other academic term of the student's reenrollment; and
 - (B) successfully completed at least 50 semester credit hours of course work at an institution of higher education that are not exempt from the limitation on formula funding set out in §13.104(1) - (6) of this title (relating to Exemptions for Excess Hours) before that break in enrollment.
- (b) For purposes of this section, a "member of the student's family" is defined to be the student's spouse, child, grandchild, father, mother, brother, sister, grandmother, grandfather, aunt, uncle, nephew, niece, first cousin, step-parent, step-child, or step-sibling; a "person who is otherwise considered to have a sufficiently close relationship to the student" is defined to include any other relative within the third degree of consanguinity, plus close friends, including but not limited to roommates, housemates, classmates, or other persons identified by the student, for approval by the institution on a case-by-case basis.
- (c) For purposes of this section, a "grade" is defined to be the indicator, usually a letter like A, B, C, D, or F, or P (for pass) assigned upon the student's completion of a course. A "grade" indicates either that the student has earned and will be awarded credit, if the student has completed the course requirements successfully; or that the student remained enrolled in the course until the completion of the term or semester but failed to provide satisfactory

performance required to be awarded credit. A "grade" under this definition does not include symbols to indicate that the course has been left incomplete, whether those symbols indicate a negotiated temporary suspension of the end-of-term deadline for completion of the course requirements commonly designated as "incomplete" status, a dropped course under the conditions designated for this section, or a withdrawal from the institution.

(d) An institution of higher education may not count toward the number of courses permitted to be dropped a course that the student dropped:

(1) while enrolled in a baccalaureate degree program previously earned by the student; or

(2) a dual credit or dual enrollment course that a student dropped before graduating from high school.

(e) ~~[(d)]~~ Each institution of higher education shall adopt a policy and procedure for determining a showing of good cause as specified in subsection (a) of this section and shall provide a copy of the policy to the Coordinating Board.

(f) ~~[(e)]~~ Each institution of higher education shall publish the policy adopted under this section in its catalogue and other print and Internet-based publications as appropriate for the timely notification of students.

Committee on Academic and Workforce Success

AGENDA ITEM V-H (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

RECOMMENDATION: Adoption

Background Information:

The Texas Higher Education Coordinating Board proposes repeal of Texas Administrative Code, Title 19, Part 1, Chapter 4, Subchapter P, Sections 4.255-4.264. Specifically, this repeal will remove rules being replaced by the new Title 19, Part 1, Chapter 2, Subchapter J that was approved by the Board at its April 2023 meeting and goes into effect December 1, 2023. The repeal is proposed under Texas Education Code, Section 61.0512(g), which provides the Coordinating Board with the authority to approve distance learning courses offered by institutions of higher education.

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

Date published in the *Texas Register*: October 13, 2023

The 30-day comment period with the *Texas Register* ended on: November 12, 2023

Summary of comments received: No comments were received regarding these rules.

CHAPTER 4 - RULES APPLYING TO ALL PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN TEXAS

SUBCHAPTER P - APPROVAL OF DISTANCE EDUCATION COURSES AND PROGRAMS FOR PUBLIC INSTITUTIONS

- 4.255. Purpose.
- 4.256. Authority.
- 4.257. Definitions.
- 4.258. General Provisions.
- 4.259. Institutional Plan for Distance Education.
- 4.260. Standards and Criteria for Institutions.
- 4.261. Standards and Criteria for Distance Education Programs.
- 4.262. Standards and Criteria for Distance Education Courses.
- 4.263. Standards and Criteria for Distance Education Faculty.
- 4.264. Formula Funding General Provisions.

~~4.255. Purpose.~~

~~This subchapter establishes rules for all public institutions of higher education in Texas regarding the delivery of distance education courses and programs. The rules are designed to provide Texas residents with access to courses and programs that meet their needs, to ensure course and program quality, and to prevent the unnecessary duplication of these courses and programs.~~

~~4.256. Authority.~~

~~Authority for this subchapter is provided by Texas Education Code §61.0512(g), which provides the Board with the authority to approve courses for credit and distance education programs.~~

~~4.257. Definitions.~~

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

~~(1) Academic credit course—A college-level course that, if successfully completed, can be applied toward the number of courses required for achieving a degree, diploma, certificate, or other formal award.~~

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

~~(3) Commissioner—The Commissioner of Higher Education; as used in this subchapter, "Commissioner" means the agency acting through its executive, and his or her designees, staff, or agents.~~

~~(4) Community College—Any public community college as defined in Texas Education Code, §61.003 and §130.005, and whose role, mission, and purpose is outlined in Texas Education Code, §130.0011 and §130.003.~~

~~(5) Continuing Education Course—A non-credit higher education technical course offered for continuing education units, has specific occupational and/or apprenticeship training objectives, and provides a quick and flexible response to business, industry, and student needs for intensive preparatory, supplemental, or upgrade training and education.~~

~~(6) Continuing Education Unit or CEU—Ten contact hours of participation in an organized educational experience under responsible sponsorship, capable direction, and qualified instruction and not offered for academic credit.~~

~~(7) Degree—Any title or designation, mark, abbreviation, appellation, or series of letters or words, including "associate", "bachelor's", "master's", and "doctor's" and their equivalents and foreign cognates, which signifies satisfactory completion of the requirements of a program of study which is generally regarded and accepted as an academic degree-level program by accrediting agencies recognized by the Board.~~

~~(8) Distance Education—The formal educational process that occurs when students and instructors are not in the same physical setting for the majority (more than 50 percent) of instruction.~~

~~(9) Distance Education Course—A course in which a majority (more than 50 percent) of the instruction occurs when the student(s) and instructor(s) are not in the same place. Two categories of distance education courses are defined:~~

~~(A) Fully Distance Education Course—A course which may have mandatory face-to-face sessions totaling no more than 15 percent of the instructional time. Examples of face-to-face sessions include orientation, laboratory, exam review, or an in-person test.~~

~~(B) Hybrid/Blended Course—A course in which a majority (more than 50 percent but less than 85 percent), of the planned instruction occurs when the students and instructor(s) are not in the same place.~~

~~(10) Distance Education Degree or Certificate Program—A program in which a student may complete a majority (more than 50 percent) of the credit hours required for the program through distance education courses.~~

~~(11) Doctoral Degree—An academic degree beyond the level of a master's degree that typically represents the highest level of formal study or research in a given field.~~

~~(12) First Professional Degree—An award that requires completion of a program that meets all of the following criteria:~~

~~(A) completion of the academic requirement to begin practice in the profession;~~

~~(B) at least two years of college work prior to entering the program; and~~

~~(C) a total of at least six academic years of college work to complete the degree program, including prior required college work plus the length of the professional program itself. First Professional degrees are discipline specific, including, but not limited to, degrees such as: Dentistry (D.D.S. or D.M.D.); Medicine (M.D.)' Veterinary Medicine (D.V.M.); Law (L.L.B, J.D.)' and Pharmacy (Pharm.D).~~

~~(13) Formula Funding—The method used to allocate appropriated sources of funds among institutions of higher education.~~

~~(14) Formula-funded Course—An academic credit course delivered face-to-face or by distance education whose semester credit hours are submitted for formula funding.~~

~~(15) Institution of Higher Education or Institution—Any public technical institute, public community college, public senior college or university, medical or dental unit, or other agency of higher education as defined in Texas Education Code, §61.003.~~

~~(16) Institutional Plan for Distance Education—A plan that must be submitted for Coordinating Board approval prior to an institution offering distance education courses or programs for the first time.~~

~~(17) Non-credit Course—A course that results in the award of continuing education units (CEU) as specified by International Association for Continuing Education and Training (IACET) criteria. Only courses that result in the award of CEUs may be submitted for state funding.~~

~~(18) Non-Resident Student—A student who is not a Texas resident and/or does not qualify for Texas resident tuition.~~

~~(19) Out-of-state/Out-of-country Courses and Programs—Academic credit courses and programs delivered outside Texas/United States to individuals or groups who are not regularly enrolled, on-campus students. Out-of-state and out-of-country courses do not receive formula funding.~~

~~(20) Program or Program of Study—Any grouping of courses which are represented as entitling a student to a degree or certificate.~~

~~(21) Public Health-Related Institution or Health-Related Institution—A medical or dental unit as defined by Texas Education Code, §61.003(5).~~

~~(22) Public University or University—A general academic teaching institution as defined by Texas Education Code, §61.003(3).~~

~~(23) Regular On-Campus Student—A student who is admitted to an institution, the majority of whose semester credit hours are reported for formula funding and more than 50 percent of coursework is primarily taken at an institution's main campus or on one or more of the campuses within a multi-campus community college system.~~

~~(24) Self-Supporting Courses and Programs—Academic credit courses and programs (formerly defined as extension courses or programs) whose semester credit hours are not submitted for formula funding.~~

~~(25) Semester Credit Hour—A unit of measure of instruction consisting of 60 minutes, of which 50 minutes must be direct instruction over a 15-week period in a semester system.~~

~~(26) Workforce continuing education course—A course offered for continuing education units (CEUs) with an occupationally specific objective and supported by state funding. A career technical/workforce continuing education course differs from a community service course offered for recreational or avocational purposes which is not supported by state funding.~~

~~4.258. General Provisions.~~

~~(a) This subchapter governs the following types of instruction provided through distance education:~~

~~(1) Academic credit courses, degree and certificate programs, and self-supporting courses and programs provided by all public institutions of higher education; and~~

~~(2) Formula-funded workforce credit courses and continuing education provided by a public community college, Lamar State College, or public technical college.~~

~~(b) This subchapter does not apply to the following types of instruction provided through distance education:~~

~~(1) Non-credit adult and continuing education courses provided by a senior college or university or health-related institution; and~~

~~(2) Non-formula-funded continuing education provided by a public community college, Lamar State College, or public technical college.~~

~~4.259. Institutional Plan for Distance Education.~~

~~(a) Prior to offering any distance education courses or programs for the first time, institutions of higher education shall submit an Institutional Plan for Distance Education to the Board for approval. The Commissioner shall provide guidelines for development of the report and a schedule for any periodic submission of updated reports.~~

~~(b) Institutional academic and administrative policies shall reflect a commitment to maintain the quality of distance education courses and programs in accordance with the provisions of~~

~~this subchapter. An Institutional Plan for Distance Education shall conform to Board guidelines and criteria of the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) in effect at the time of the Report's approval. These criteria shall include provisions relating to:~~

- ~~(1) Institutional Issues;~~
- ~~(2) Educational Programs;~~
- ~~(3) Faculty;~~
- ~~(4) Student Support Services; and~~
- ~~(5) Distance Education Facilities and Support.~~

~~4.260. Standards and Criteria for Institutions.~~

~~The following provisions apply to all institutions covered under this subchapter, unless otherwise specified:~~

- ~~(1) Institutions shall comply with the standards and criteria of the Southern Association of Colleges and Schools Commission on Colleges.~~
- ~~(2) Institutions shall adhere to criteria outlined in Principles of Good Practice for Academic Degree and Certificate Programs and Credit Courses Offered Electronically.~~
- ~~(3) The Commissioner shall establish procedures governing the quality, review, and approval of distance education programs and courses. The Commissioner may also require institutions to provide reports on distance education programs and courses.~~
- ~~(4) Students shall be provided academic support services appropriate for distance education, such as advising, career counseling, library, and other learning resources.~~
- ~~(5) Institutions shall report enrollments, courses, and graduates associated with distance education offerings as required by the Commissioner.~~
- ~~(6) If a non-Texas resident student enrolls in regular, on-campus courses for at least one-half of the normal full-time course load as determined by the institution, the institution may report that student's fully distance education or hybrid/blended courses for formula funding enrollments.~~

~~4.261. Standards and Criteria for Distance Education Programs.~~

~~The following provisions apply to all programs covered under this subchapter, unless otherwise specified:~~

~~(1) Each program shall be within the role and mission of the institution responsible for offering the instruction and shall be on its inventory of approved programs.~~

~~(2) Prior Board approval may be required before an institution may offer programs in certain subject area disciplines or under other conditions specified by the Board or Commissioner.~~

~~(3) The Commissioner or the Commissioner's designee may approve for delivery by other delivery modes doctoral and special professional degree programs that have previously been approved by the Board.~~

~~(4) An institution offering a degree or certificate program shall comply with the standards and criteria of any specialized accrediting agency or professional certification board.~~

~~(5) Each degree program offered via distance education shall be approved by an institution's governing board or the governing board's institutional designee. Certification of approval shall be submitted to the Board upon request.~~

~~(6) Institutions shall require that students (except for students in out-of-country programs) enrolled in a distance education degree program satisfy the same requirements for admission to the institution and the program as required of regular on-campus students. Students in degree programs to be offered collaboratively shall meet the admission standards of their home institution.~~

~~(7) Out-of-country students shall meet equivalent standards for admission into programs and shall be assessed for academic guidance purposes in a manner determined by the admitting institution.~~

~~4.262. Standards and Criteria for Distance Education Courses.~~

~~The following provisions apply to all courses covered under this subchapter, unless otherwise specified:~~

~~(1) Each course shall be within the role and mission of the institution responsible for offering the instruction and shall be on its inventory of approved courses.~~

~~(2) All courses covered under this subchapter shall meet the quality standards applicable to on-campus courses.~~

~~(3) Institutions shall report to the Coordinating Board, in accordance with Board policy and procedures, all distance education courses and programs.~~

~~(4) Except for students in out-of-country courses, students shall satisfy the same requirements for enrollment in an academic credit course as required of on-campus students.~~

~~(5) Out-of-country students shall meet equivalent standards for enrollment in an academic credit course and shall be assessed for academic guidance purposes in a manner determined by the admitting institution.~~

~~(6) The instructor of record shall bear responsibility for the delivery of instruction and for evaluation of student progress.~~

~~(7) Prior Board approval may be required before an institution may offer programs in certain subject area disciplines or under other conditions specified by the Board or Commissioner.~~

~~4.263. Standards and Criteria for Distance Education Faculty.~~

~~The following provisions apply to faculty teaching in programs covered under this subchapter, unless otherwise specified:~~

~~(1) Faculty shall be selected and evaluated by equivalent standards, review, and approval procedures used by the institution to select and evaluate faculty responsible for on-campus courses.~~

~~(2) Institutions shall provide training and support to enhance the added skills required of faculty teaching courses through electronic means.~~

~~(3) The supervision, monitoring, and evaluation processes for faculty shall be equivalent to those for on-campus courses.~~

~~4.264. Formula Funding General Provisions.~~

~~(a) Institutions shall report distance education courses submitted for formula funding in accordance with the Board's uniform reporting system and the provisions of this subchapter.~~

~~(b) Institutions may submit for formula funding academic credit courses delivered by distance education to any student located in Texas or to Texas residents located out-of-state or out-of-country.~~

~~(c) Institutions, with the exception of those outlined in subsection (e) of this section, shall not submit for formula funding distance education courses taken by non-resident students who are located out-of-state or out-of-country, courses in out-of-state or out-of-country programs taken by any student, or self-supporting courses.~~

~~(d) For courses not submitted for formula funding, institutions shall charge fees that are equal to or greater than Texas resident tuition and applicable fees and that are sufficient to cover the total cost of instruction and overhead, including administrative costs, benefits, computers and equipment, and other related costs. Institutions shall report fees received for self-supporting and out-of-state/country courses in accordance with general institutional accounting practices.~~

~~(e) Pursuant to Texas Education Code §54.060(a) and (f) and §61.059(n), Texas A&M University Texarkana may submit distance education courses for formula funding that are taken by students enrolled in the university that reside in a county contiguous to the county in which Texas A&M University Texarkana is located and who, under Texas Education Code §54.060(a), are eligible to pay resident tuition.~~

Committee on Academic and Workforce Success

AGENDA ITEM V-H (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

RECOMMENDATION: Approval

Background Information:

This proposed change is part of the clean-up of existing provisions related to new academic program approval in the Texas Administrative Code replaced by Texas Administrative Code, Title 19, Part 1, Chapter 2, approved by the Texas Higher Education Coordinating Board in October 2022.

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*: October 13, 2023

The 30-day comment period with the *Texas Register* ended on: November 12, 2023

No comments were received regarding these rules.

Chapter 5:
Rules Applying to Public Universities, Health-Related Institutions, and Review of Existing
Degree Programs

Subchapter B:
Role and Mission, Tables of Programs, Course Inventories

§5.24. Submission of Mission Statements and Planning Notification.

~~(a) When submitting a Planning Notification to add a degree program (baccalaureate, master's, and doctoral) to the institution's program inventory, an institution of higher education may be requested to address the Board at a regularly scheduled meeting to describe how the institution believes the potential program contributes to the efficient and effective diffusion of education throughout the state while avoiding costly duplication in program offerings, faculties, and physical plants. An institution shall submit written information to the Board including the title of the potential proposed program, level, Classification of Instructional Program (CIP) Code, anticipated date of proposal submission, and provide a brief description of the proposed program. Planning Notification must occur prior to an institution beginning planning for or submitting a proposal for a new degree program that requires Board approval.~~

~~(b)~~(a) Review Process.

(1) As provided by Texas Education Code, §61.051(a-5) and §61.052, the Board shall regularly review the role and mission statements, and all similar degree and certificate programs offered by each public senior university or health related institution.

(2) The Boards of Regents shall approve or re-approve institutional mission statements. Each Board of Regents shall provide the Coordinating Board with its current institutional mission statements after any change has been approved.

~~(3) Planning Notification must be submitted at least one year prior to submission of a proposal to offer the degree if the proposed program would be a program leading to the award of a "professional degree," as defined by Texas Education Code 61.306, including Doctor of Medicine (M.D.), Doctor of Osteopathy (D.O.), Doctor of Dental Surgery (D.D.S.), Doctor of Veterinary Medicine (D.V.M.), Juris Doctor (J.D.), and Bachelor of Laws (LL.B.).~~

Subchapter C:
Approval of New Academic Programs at Public Universities, Health-Related Institutions, and
Review of Existing Degree Programs

§5.41. Purpose.

§5.42. Authority.

§5.43. Definitions.

§5.44. Presentation of Requests and Steps for Implementation.

§5.45. Criteria for New Baccalaureate and Master's Degree Programs.

§5.46. Criteria for New Doctoral Programs.

§5.48. Criteria for Certificate Programs at Universities and Health-Related Institutions.

§5.50. Approvals by the Commissioner.

§5.52. Review of Existing Degree Programs.

§5.53. Annual Evaluation of New Doctoral Degree Programs.

§5.54. Noncompliance with Conditions of Approval for New Doctoral Degree Programs.

§5.55. Revisions to Approved Programs.

~~§5.41. Purpose.~~

~~The purpose of this subchapter is to describe the criteria and approval processes for degree and certificate programs. Criteria in §5.45 of this title (relating to Criteria for New Baccalaureate and Master's Degree Programs) apply to public colleges, universities, and health-related institutions.~~

~~§5.42. Authority.~~

~~Texas Education Code, §61.0512 provides that no new degree program, or certificate program may be added at any public institution of higher education except with specific prior approval of the Board. Texas Education Code, §130.302 and §130.312 applies to public junior colleges.~~

~~§5.43. Definitions.~~

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

~~(1) Academic administrative unit—A department, college, school, or other unit at a university or health-related institution, which has administrative authority over degree or certificate programs.~~

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

~~(3) Certificate Program—Any grouping of subject-matter courses which, when satisfactorily completed by a student, shall entitle him or her to a certificate or documentary evidence, other than a degree, of completion of a post-secondary course of study at a university or health-related institution.~~

~~(4) Commissioner—The Commissioner of Higher Education.~~

~~(5) Compelling Academic Reason—A justification for an undergraduate degree program consisting of more than 120 semester credit hours. Acceptable justifications are programmatic accreditation requirements, statutory requirements, and requirements for licensure/certification of graduates.~~

~~(6) Degree program—Any grouping of subject-matter courses which, when satisfactorily completed by a student, shall entitle him or her to a degree from a public university or health-related institution.~~

~~(7) Doctoral Graduation Rate—The Doctoral Graduation Rate is the percent of students in an entering fall cohort for a specific degree program who graduate within 10 years. Doctoral graduation rates do not include students who received a master's degree.~~

~~(8) Faculty publications—Discipline-related refereed publications, books or book chapters, juried creative or performance accomplishments, and notices of discoveries filed and patents issued.~~

~~(9) Faculty teaching load—Total number of semester credit hours taught per academic year by faculty divided by the number of faculty.~~

- ~~—(10) Graduate-level certificate program—A certificate program at a university or health-related institution that consists primarily of graduate-level courses.~~
- ~~—(11) Graduate placement—The number and percent of graduates employed or engaged in further education or training, those still seeking employment, and unknown.~~
- ~~—(12) Lower-division degree or certificate program—A degree or certificate program offered at a university or health-related institution that consists of lower-division courses and is equivalent to a program offered at a community or technical college.~~
- ~~—(13) Master's Graduation Rate—The Master's Graduation Rate is the percent of students in an entering fall and spring cohort for a specific degree program who graduate within 5 years.~~
- ~~—(14) New Doctoral Degree Program—A doctoral degree program that has been approved by the Coordinating Board for a period of less than five years.~~
- ~~—(15) Student time to degree—The average of the number of semesters taken by program graduates from the time of enrollment in the program until graduation.~~
- ~~—(16) Upper-division certificate program—A certificate program at a university or health-related institution that consists primarily of upper-division undergraduate courses.~~

~~§5.44. Presentation of Requests and Steps for Implementation.~~

~~(a) Requests for new degree programs must be made in accordance with the following procedures:~~

- ~~—(1) Institutions must request new bachelor's and master's programs using the most recent version of the appropriate degree program request form.~~
- ~~—(2) Institutions must submit documentation sufficient to establish that the new program meets all of the criteria listed in §5.45 of this title (relating to Criteria for New Baccalaureate and Master's Degree Programs). Board staff will review for completeness all requests for new programs within five business days of receipt. If Board staff determines that the request is incomplete and additional information or documentation is needed, the institution must respond with all of the requested information or documentation within ten working days or the request will be returned to the institution. An institution may resubmit a request that was incomplete as soon as it has obtained the requested information or documentation.~~
- ~~—(3) New bachelor's and master's programs will be approved if all of the following conditions are met:~~
 - ~~—(A) The proposed program has institutional and governing board approval.~~
 - ~~—(B) The institution certifies compliance with the Standards for New Bachelor's and Master's Programs.~~
 - ~~—(C) The institution certifies that adequate funds are available to cover the costs of the new program.~~
 - ~~—(D) New costs during the first five years of the program would not exceed \$2 million.~~
 - ~~—(E) The proposed program is a non-engineering program.~~
 - ~~—(F) The proposed program would be offered by a university or health-related institution.~~
- ~~—(4) If a proposed bachelor's or master's program meets the conditions in paragraph (3) of this subsection, the institution may submit a request to the Assistant Commissioner of Academic Quality and Workforce to add the program to the institution's Program Inventory. If a proposed program does not meet the conditions outlined in paragraph (3) of this subsection, the institution must submit a proposal using the most recent version of the full request form.~~

~~—(5) If the minimum number of semester credit hours required to complete a proposed bachelor's program exceeds 120, the institution must provide detailed documentation describing the compelling academic reason for the number of required hours, such as programmatic accreditation requirements, statutory requirements, or licensure/certification requirements that cannot be met without exceeding the 120-semester credit hour limit. The Board staff will review the documentation provided and make a determination to approve or deny a request to exceed the 120-semester credit hour limit.~~

~~—(6) The institution proposing the program must notify all public institutions of higher education within 50 miles of the teaching site of their intention to offer the program at least 30 days prior to submitting their request to the Coordinating Board. If no objections occur, the Coordinating Board staff will update the institution's program inventory. If objections occur, the proposing institution must resolve those objections prior to submitting the request to the Coordinating Board. If the proposing institution cannot resolve the objection(s), and the institution wishes to submit the proposed program, the proposing institution may request the assistance of the Assistant Commissioner of Academic Quality and Workforce to mediate the objections and determine whether the proposing institution may submit the proposed program. No new program will be approved until all objections are resolved.~~

~~—(7) The Coordinating Board reserves the right to audit a degree program at any time to ensure compliance with any of the criteria outlined in paragraph (3) of this subsection.~~

~~—(8) An institution requesting a new doctoral program must submit a proposal using the most recent version of the standard doctoral program request form.~~

~~(b) Requests for new certificate programs will be made in accordance with the following procedures.~~

~~—(1) New undergraduate and graduate certificate programs will be approved if all of the following conditions are met:~~

~~—(A) The certificate program has institutional approval.~~

~~—(B) The institution certifies that adequate funds are available to cover the costs of the new certificate program.~~

~~—(C) The certificate program meets all other criteria in §5.48 of this title (relating to Criteria for Certificate Programs at Universities and Health-Related Institutions).~~

~~—(2) If a proposed certificate program meets the conditions in paragraph (1) of this subsection, the institution may submit a request to the Assistant Commissioner of Academic Quality and Workforce. If a proposed certificate program does not meet the conditions outlined in paragraph (1) of this subsection, the institution must submit a proposal using the most recent version of the full request form.~~

~~—(3) The institution proposing the certificate program must notify all public higher education institutions within 50 miles of the teaching site of their intention to offer the certificate program at least 30 days prior to submitting their request to the Coordinating Board. If no objections occur, the Coordinating Board staff shall update the institution's program inventory. If objections occur, the proposing institution must resolve those objections prior to submitting the request to the Coordinating Board. If the proposing institution cannot resolve the objection(s), and the institution wishes to submit the proposed certificate program, the proposing institution may request the assistance of the Assistant Commissioner of Academic Quality and Workforce to mediate the objections and determine whether the proposing institution may submit the request for the proposed certificate program. No new certificate program will be implemented until all objections are resolved.~~

~~-(4) The Coordinating Board reserves the right to audit a certificate program at any time to ensure compliance with any of the conditions outlined in §5.48 of this title.~~

~~§5.45. Criteria for New Baccalaureate and Master's Degree Programs.~~

~~Requests for new baccalaureate and master's degree programs must provide information and documentation demonstrating that the proposed degree programs meet all of the following criteria:~~

~~-(1) Role and mission. The proposed program must be within the existing role and mission of the institution as indicated by its Program Inventory or the Board must make the determination that the program is appropriate for the mission of the institution.~~

~~-(2) Unnecessary duplication. The proposed program must not unnecessarily duplicate an existing program at another institution serving the same regional population. The offering of basic liberal arts and sciences courses and degree programs in public senior institutions is not considered unnecessary duplication. A proposed program to be offered through distance education must demonstrate that there is unmet workforce need and student demand for the program that cannot be met by existing online programs offered by Texas public institutions.~~

~~-(3) Faculty resources.~~

~~—(A) Faculty resources must be adequate to provide high program quality. With few exceptions, the master's degree should be the minimum educational attainment for faculty teaching in baccalaureate programs. In most disciplines, the doctorate should be the minimum educational attainment for faculty teaching in graduate programs. Faculty should meet the qualitative and quantitative criteria of the Southern Association of Colleges and Schools Commission on Colleges, and the appropriate accrediting body. There should be sufficient numbers of qualified faculty dedicated to a new program. This number shall vary depending on the discipline, the nature of the program, and the anticipated number of students; however, there must be at least one full time equivalent faculty already in place in order for the program to begin enrolling students.~~

~~—(B) In evaluating faculty resources for proposed degree programs, the Board shall consider only those degrees held by faculty that were issued by:~~

~~—(i) United States institutions accredited by accrediting agencies recognized by the Board or,~~

~~—(ii) institutions located outside the United States that have demonstrated that their degrees are equivalent to degrees issued from an institution in the United States accredited by accrediting agencies recognized by the Board. The procedures for establishing that equivalency shall be consistent with the guidelines of the National Council on the Evaluation of Foreign Education Credentials, or its successor.~~

~~-(4) Library and IT resources. Library and information technology resources must be adequate for the proposed program and meet the standards of the appropriate accrediting agencies.~~

~~-(5) Facilities, equipment, and clinical placements. Facilities and clinical placements must be adequate to initiate the program. Adequate classroom and laboratory space, equipment, and office space should be available for the proposed program. Arrangements for any essential clinical placements should be made before program approval.~~

~~-(6) Curriculum design. The curriculum should be up-to-date and consistent with current educational theory. Professional programs and those resulting in licensure must be designed to meet the standards of appropriate regulatory bodies. Student time-to-degree must be considered in the curricular structure and policy of the proposed program, including but not~~

limited to policies for transfer of credit, course credit by examination, credit for professional experience, placing out of courses, and any alternative learning strategies, such as competency-based education, that may increase efficiency in student progress in the proposed program.

–(7) Program administration. Administration of the proposed program should not be unduly cumbersome or costly. Ideally, the proposed program should fit into the current administrative structure of the institution. If administrative changes are required, they should be consonant with the organization of the institution as a whole and should necessitate a minimum of additional expense in terms of personnel and office space.

–(8) Workforce need. There should be a demonstrated or well-documented need for the program in terms of meeting present and future workforce needs of the state and nation. There should be a ready job market for graduates of the program, or alternatively, it should produce students for master's or doctoral level programs in fields in which there is a demonstrated need for professionals.

–(9) Critical mass of students. In addition to a demonstrated workforce need, a critical mass of qualified students must be available to enter the proposed program and there must be evidence that the program is likely to have sufficient enrollments to support the program into the future. The size of an institution, the characteristics of its existing student body, and enrollments in existing programs should be taken into account when determining whether a critical mass of students shall be available for a proposed new program.

–(10) Adequate financing. There should be adequate financing available to initiate the proposed program without reducing funds for existing programs or weakening them in any way. After the start-up period, the program must be able to generate sufficient semester credit hours under funding formulas and student tuition and fees to pay faculty salaries, departmental operating costs, and instructional administration costs for the program. Five years should be sufficient time for the program to meet these costs through semester credit hour production. If the state funding formulas and student tuition and fees are not meeting these costs for the program after five years, the institution and the Board should review the program with a view to discontinuance.

–(11) Marketable Skills. There must be a list of the marketable skills associated with the proposed program in keeping with the state strategic plan, 60x30TX, and a plan for how students will be informed of the marketable skills.

–(12) Strong Related Programs. There must be high quality programs in other related and supporting disciplines at the bachelor's and master's levels, as evidenced by enrollments, numbers of graduates, and completion rates in those related and supporting programs, as appropriate.

§5.46. Criteria for New Doctoral Programs:

Requests for new doctoral programs must provide information and documentation demonstrating that the proposed programs meet all of the following criteria:

–(1) Design of the Program. A doctoral level program is designed to prepare a graduate student for a lifetime of teaching, creative activity, research, or other professional activity. The administration and the faculty of institutions initiating doctoral level programs should exhibit an understanding of and commitment to the long tradition of excellence associated with the

awarding of the traditional research doctorate degrees and of the various doctoral-level professional degrees.

—(2) Freedom of Inquiry and Expression. Doctoral programs must be characterized by complete freedom of inquiry and expression.

—(3) Programs at the Undergraduate and Master's Levels. Doctoral programs, in most instances, should be undergirded by quality programs in a wide number of disciplines at the undergraduate and master's levels. Quality programs in other related and supporting doctoral areas must also be available.

—(4) Need for the Program. There should be a demonstrated and well-documented need for doctoral level prepared professionals in the discipline of the proposed program both in Texas and in the nation. It is the responsibility of the institution requesting a doctoral program to demonstrate that such a need exists, preferably through an analysis of national data showing the number of doctoral degrees being produced annually in the area and comparing that to the numbers of professional job openings for doctoral degrees in the discipline as indicated by sources such as the main professional journal(s) of the discipline. The institution must also provide data on the enrollments, number of graduates, and capacity to accept additional students of other similar doctoral programs in Texas, demonstrating that current production levels of graduates are insufficient to meet projected workforce needs. The institution should also provide evidence of student demand for a doctoral program in the discipline, such as potential student survey results and documentation that qualified students are not gaining admission to existing programs in Texas.

—(5) Faculty Resources.

—(A) There must be a strong core of doctoral faculty, holding the doctor of philosophy degree or its equivalent from a variety of graduate schools of recognized reputation. Professors and associate professors must be mature persons who have achieved national or regional professional recognition. All core faculty must be currently engaged in productive research, and preferably have published the results of such research in the main professional journals of their discipline. They should come from a variety of academic backgrounds and have complementary areas of specialization within their field. Some should have experience directing doctoral dissertations. Collectively, the core of doctoral faculty should guarantee a high quality doctoral program with the potential to attain national prominence. The core faculty members should already be in the employ of the institution. If an institution is required to hire additional faculty prior to opening the proposed program and enrolling students, the institution will provide documentation on a schedule determined by the Coordinating Board of the faculty hires through submission of a letter of intent, curriculum vitae, and a list of courses in the curriculum that the faculty hire would be qualified to teach. Proposed recruitment of such faculty shall not meet this criterion. No authorized doctoral program shall be initiated until qualified faculty are active members of the department through which the program is offered.

—(B) In evaluating faculty resources for proposed degree programs, the Board shall consider only those degrees held by the faculty that were issued by:

—(i) United States institutions accredited by accrediting agencies recognized by the Board; or

—(ii) institutions located outside the United States that have demonstrated that their degrees are equivalent to degrees issued from an institution in the United States accredited by accrediting agencies recognized by the Board. The procedures for establishing that equivalency shall be consistent with the guidelines of the National Council on the Evaluation of Foreign Education Credentials, or its successor.

~~—(6) Teaching Loads of Faculty. Teaching loads of faculty in the doctoral program should not exceed two or three courses per term, and it must be recognized that some of these shall be advanced courses and seminars with low enrollments. Adequate funds should be available for attendance and participation in professional meetings and for travel and research necessary for continuing professional development.~~

~~—(7) Critical Mass of Superior Students. Admission standards, student recruitment plans, and enrollment expectations must guarantee a critical mass of superior students. The program must not result in such a high ratio of doctoral students to faculty as to make individual guidance prohibitive.~~

~~—(8) On-Campus Residency Expectations.~~

~~—(A) Institutions which offer doctoral degrees must provide through each doctoral program:~~

~~—(i) significant, sustained, and regular interaction between faculty and students and among students themselves;~~

~~—(ii) opportunities to access and engage in depth a wide variety of educational resources related to the degree program and associated fields;~~

~~—(iii) opportunities for significant exchange of knowledge with the academic community;~~

~~—(iv) opportunities to broaden educational and cultural perspectives; and~~

~~—(v) opportunities to mentor and evaluate students in depth.~~

~~—(B) Institutions are traditionally expected to meet these provisions through substantial on-campus residency requirements. Proposals to meet them in other, non-traditional ways (e.g., to enable distant delivery of a doctoral program) must provide persuasive and thorough documentation as to how each provision would be met and evaluated for the particular program and its students. Delivery of doctoral programs through distance education and/or off-campus instruction requires prior approval of the Board as specified in §4.261(3) of this title (relating to Standards and Criteria for Distance Education Programs).~~

~~—(9) Adequate Financial Assistance for Doctoral Students. There should be adequate financial assistance for doctoral students so as to assure that most of them can be engaged in full-time study. Initially, funds for financial assistance to the doctoral students usually come from institutional sources. As the program develops and achieves distinction, it increasingly shall attract support from government, industry, foundations, and other sources.~~

~~—(10) Carefully Planned Program. The proposed program should be a carefully planned and systematic program with a degree plan which is clear, comprehensive, and generally uniform but which permits sufficient flexibility to meet the legitimate professional interests and special needs of doctoral-level degree students. There should be a logical sequence by which degree requirements shall be fulfilled. Consideration must also be given to alternative methods of determining mastery of program content, such as competency-based education, prior learning assessment, and other options for reducing student time to degree. The proposed degree plan should require both specialization and breadth of education, with rules for the distribution of study to achieve both, including interdisciplinary programs if indicated. The plan should include a research dissertation or equivalent requirements to be judged by the doctoral faculty on the basis of quality rather than length.~~

~~—(11) External Learning Experiences. There must be a plan for providing external learning experiences for students, such as internships, clerkships, or clinical experiences, in disciplines that require them. The plan should include provisions for increasing the number of opportunities for such experiences if the number of students in existing programs equals or exceeds the available number of opportunities in Texas.~~

–(12) Support Staff. There should be an adequate number of support staff to provide sufficient services for both existing programs and any proposed increases in students and faculty that would result from the implementation of the proposed program.

–(13) Physical Facilities. There should be an adequate physical plant for the program. An adequate plant would include reasonably located office space for the faculty, teaching assistants, and administrative and technical support staff; seminar rooms; laboratories; computer and electronic resources; and other appropriate facilities.

–(14) Library and IT Resources. Library and information technology resources must be adequate for the proposed program and meet the standards of the appropriate accrediting agencies. Library resources should be strong in the proposed doctoral program field and in related and supporting fields.

–(15) Costs and Funding. The institution should have a budgetary plan for the proposed program that clearly delineates the anticipated costs and the sources of funding. Costs for new personnel and physical resources should be adequate and reasonable, existing programs should not be negatively affected by the reallocation of funds, state funding income should be calculated correctly, and total revenues should exceed total costs by the fifth year of projected program operation.

–(16) Program Evaluation Standards. The proposed program should meet the standards of the Southern Association of Colleges and Schools Commission on Colleges, and the accrediting standards and doctoral program criteria of appropriate professional groups and organizations, such as the Council of Graduate Schools, the Modern Language Association, the American Historical Association, the Accreditation Board for Engineering and Technology or other bodies relevant to the particular discipline. Out-of-state consultants shall be used by the institution and the Board to assist in evaluating the quality of a proposed doctoral level program. The institution submitting the proposal is responsible for reimbursing the Coordinating Board for the costs associated with the external review by out-of-state contractors.

–(17) Strategic Plan. The proposed program should build on existing strengths at the institution as indicated by its Program Inventory, should fit into the institution's strategic plan, and should align with the state's strategic plan.

–(18) Marketable Skills. There must be a list of the marketable skills associated with the proposed program in keeping with the state strategic plan, 60x30TX, and a plan for how students will be informed of the marketable skills.

–(19) First Doctoral Program. When an institution has not previously offered doctoral level work, notification to the executive secretary of the Southern Association of Colleges and Schools, Commission on Colleges, is required at least one year in advance of program implementation.

§5.48. Criteria for Certificate Programs at Universities and Health-Related Institutions:

(a) Universities and health-related institutions are encouraged to develop upper-division and graduate certificate programs of less than degree length to meet the needs of students and the workforce. These rules are intended to provide a streamlined process for approval of those programs.

(b) Certificate programs for which no academic credit is granted are exempt from the provisions of this section.

~~(c) Certificate programs for which academic credit is granted at universities and health-related institutions must meet the following criteria:~~

~~—(1) They must meet identified workforce needs or provide the student with skills and/or knowledge that shall be useful for their lives or careers.~~

~~—(2) They must be consistent with the standards of the Commission on Colleges of the Southern Association of Colleges and Schools.~~

~~—(3) They must meet the standards of all relevant state agencies or licensing bodies which have oversight over the certificate program or graduate.~~

~~—(4) Adequate financing must be available to cover all new costs to the institution five years after the implementation of the program.~~

~~(d) The following certificate programs do not require Board approval or notification:~~

~~—(1) certificate programs for which no collegiate academic credit is given;~~

~~—(2) certificate programs in areas and at levels authorized by the Program Inventory of the institution with curricula of the following length:~~

~~—(A) at the undergraduate level of 20 semester credit hours or less;~~

~~—(B) at the graduate and professional level of 15 semester credit hours or less.~~

~~(e) The following certificate programs require Board approval and shall be approved if the following conditions are met:~~

~~—(1) the proposed certificate is an upper-level undergraduate certificate of 21–36 hours in a disciplinary area where the institution already offers an undergraduate degree program.~~

~~—(2) the proposed certificate is a graduate-level and professional certificate of 16–29 semester credit hours in disciplinary areas where the institution already offers a graduate program at the same level as the certificate.~~

~~(f) Lower-division certificate programs:~~

~~—(1) One and two-year, post-secondary career technical/workforce education programs should be delivered primarily by community, state, and technical colleges. These institutions are uniquely suited by virtue of their specialized mission, local governance, and student support services to provide such opportunities in an efficient and economical manner. For that reason, new lower-division career technical/workforce certificate programs shall not generally be approved at public universities and health-related institutions.~~

~~—(2) Universities and health-related institutions should not develop certificate programs at the upper or graduate level that are equivalent to lower-division certificate programs offered at community, state, and technical colleges.~~

~~§5.50. Approvals by the Commissioner.~~

~~(a) The Commissioner may approve proposals from the public universities and health-related institutions for new baccalaureate or master's degree programs and, in very limited circumstances, new doctoral programs, on behalf of the Board in accordance with the procedures and criteria specified in this section.~~

~~(b) To be approved by the Commissioner, a proposal for a new degree program must include certification in writing from the Board of Regents of a proposing institution, in a form prescribed by the Commissioner, that the following criteria have been met:~~

~~—(1) The curriculum, faculty, resources, support services, and other components of a proposed degree program are comparable to those of high-quality programs in the same or similar disciplines offered by other institutions.~~

~~-(2) Clinical or in-service placements, if applicable, have been identified in sufficient number and breadth to support the proposed program.~~

~~-(3) The program is designed to be consistent with the standards of the Southern Association of Colleges and Schools Commission on Colleges, and with the standards of other applicable accrediting agencies; and is in compliance with appropriate licensing authority requirements.~~

~~-(4) The institution has provided credible evidence of long-term student interest and job-market needs for graduates; or, if proposed by a university, the program is appropriate for the development of a well-rounded array of basic baccalaureate degree programs at the institution where the principal faculty and other resources are already in place to support other approved programs and/or the general core curriculum requirements for all undergraduate students.~~

~~-(5) The program would not be unnecessarily duplicative of existing programs at other institutions.~~

~~-(6) Implementation and operation of the program would not be dependent on future Special Item funding.~~

~~-(7) New costs to the institution over the first five years after implementation of the program would not exceed \$2,000,000.~~

~~(c) In addition to the requirements listed in subsection (a) and (b) of this section, a new doctoral program may only be approved by the Commissioner if:~~

~~-(1) the institution already offers a doctoral program or programs in a closely related disciplinary area;~~

~~-(2) those existing doctoral programs are productive and offered at a high level of quality;~~

~~-(3) the core faculty for the proposed program are already active and productive faculty in an existing doctoral program at the institution;~~

~~-(4) the institution has notified Texas public institutions that offer the proposed program or a related program and resolved any objections; and~~

~~-(5) there is a very strong link between the program and workforce needs or the economic development of the state.~~

~~(d) A proposal for a new degree program must include a statement from the institution's chief executive officer certifying adequate financing and explaining the sources of funding to support the first five years of operation of the program.~~

~~(e) If a proposal meets the criteria specified in this section, the Commissioner may either approve it or forward it to the Board for consideration at an appropriate quarterly meeting.~~

~~(f) If a proposal does not meet the criteria specified in this section, the Commissioner may deny approval or forward it to the Board for consideration at an appropriate quarterly meeting. Institutions may appeal the decision to deny approval to the Board.~~

~~(g) If a proposed program is the subject of an unresolved grievance or dispute between institutions, the Commissioner must forward it to the Board for consideration at an appropriate quarterly meeting.~~

~~(h) The Commissioner shall make available to the public universities, health-related institutions, community/technical colleges, and Independent Colleges of Texas, Inc. a list of all pending proposals for new degree programs. If an institution wishes to provide the Commissioner information supporting a concern it has about the approval of a pending proposal for a new degree program at another institution, it must do so within 14 days of the initial listing of the proposal, and it must also forward the information to the proposing institution.~~

~~(i) The authority given to the Commissioner to approve proposals from public universities and health-related institutions for new degree programs (and other related duties given under this section) may be delegated by the Commissioner to the Assistant Commissioner for Academic Quality and Workforce.~~

~~(j) Each quarter, the Commissioner shall send a list of his approvals and disapprovals under this section to Board members. A list of the approvals and disapprovals shall also be attached to the minutes of the next quarterly Board meeting.~~

~~§5.52. Review of Existing Degree Programs.~~

~~(a) In accordance with the requirements of the Southern Association of Colleges and Schools, Commission on Colleges, each public institution of higher education shall have a process to review the quality and effectiveness of existing degree programs and for continuous improvement.~~

~~(b) The Coordinating Board staff shall develop a process for conducting a periodic audit of the quality, productivity, and effectiveness of existing bachelor's, master's, and doctoral degree programs at public institutions of higher education and health-related institutions.~~

~~(c) Each public university and health-related institution shall review all doctoral programs at least once every ten years.~~

~~—(1) On a schedule to be determined by the Commissioner, institutions shall submit a schedule of review for all doctoral programs to the Assistant Commissioner of Academic Quality and Workforce.~~

~~—(2) Institutions shall begin each review of a doctoral program with a rigorous self-study.~~

~~—(3) As part of the required review process, institutions shall use at least two external reviewers with subject-matter expertise who are employed by institutions of higher education outside of Texas.~~

~~—(4) External reviewers must be provided with the materials and products of the self-study and must be brought to the campus for an on-site review.~~

~~—(5) External reviewers must be part of a program that is nationally recognized for excellence in the discipline.~~

~~—(6) External reviewers must affirm that they have no conflict of interest related to the program under review.~~

~~—(7) Closely related programs, defined as sharing the same 4-digit Classification of Instructional Programs code, may be reviewed in a consolidated manner at the discretion of the institution.~~

~~—(8) Institutions shall review master's and doctoral programs in the same discipline simultaneously, using the same self-study materials and reviewers. Institutions may also, at their discretion, review bachelor's programs in the same discipline as master's and doctoral programs simultaneously.~~

~~—(9) Criteria for the review of doctoral programs must include, but are not limited to:~~

~~—(A) The Characteristics of Texas Public Doctoral Programs;~~

~~—(B) Student retention rates;~~

~~—(C) Student enrollment;~~

~~—(D) Graduate licensure rates (if applicable);~~

~~—(E) Alignment of program with stated program and institutional goals and purposes;~~

~~—(F) Program curriculum and duration in comparison to peer programs;~~

- ~~— (G) Program facilities and equipment;~~
- ~~— (H) Program finance and resources;~~
- ~~— (I) Program administration; and~~
- ~~— (J) Faculty Qualifications.~~
- ~~— (10) Institutions shall submit a report on the outcomes of each review, including the evaluation of the external reviewers and actions the institution has taken or will take to improve the program, and shall deliver these reports to the Academic Quality and Workforce Division no later than 180 days after the reviewers have submitted their findings to the institution.~~
- ~~— (11) Institutions may submit reviews of graduate programs performed for reasons of programmatic licensure or accreditation in satisfaction of the review and reporting requirements in this subsection.~~
- ~~(d) Each public university and health related institution shall review all stand alone master's programs at least once every ten years.~~
- ~~— (1) On a schedule to be determined by the Commissioner, institutions shall submit a schedule of review for all master's programs to the Assistant Commissioner of Academic Quality and Workforce.~~
- ~~— (2) Institutions shall begin each review of a master's program with a rigorous self study.~~
- ~~— (3) As part of the required review process, institutions shall use at least one external reviewer with subject matter expertise who is employed by an institution of higher education outside of Texas.~~
- ~~— (4) External reviewers shall be provided with the materials and products of the self study. External reviewers may be brought to the campus for an on-site review or may be asked to conduct a remote desk review.~~
- ~~— (5) External reviewers must be part of a program that is nationally recognized for excellence in the discipline.~~
- ~~— (6) External reviewers must affirm that they have no conflict of interest related to the program under review.~~
- ~~— (7) Closely related programs, defined as sharing the same 4-digit Classification of Instructional Programs code, may be reviewed in a consolidated manner at the discretion of the institution.~~
- ~~— (8) Master's programs in the same 6-digit Classification of Instructional Programs code as doctoral programs shall be reviewed simultaneously with their related doctoral programs.~~
- ~~— (9) Criteria for the review of master's programs must include, but are not limited to:~~
 - ~~— (A) Faculty qualifications;~~
 - ~~— (B) Faculty publications;~~
 - ~~— (C) Faculty external grants;~~
 - ~~— (D) Faculty teaching load;~~
 - ~~— (E) Faculty/student ratio;~~
 - ~~— (F) Student demographics;~~
 - ~~— (G) Student time to degree;~~
 - ~~— (H) Student publication and awards;~~
 - ~~— (I) Student retention rates;~~
 - ~~— (J) Student graduation rates;~~
 - ~~— (K) Student enrollment;~~
 - ~~— (L) Graduate licensure rates (if applicable);~~
 - ~~— (M) Graduate placement (i.e. employment or further education/training);~~

- (N) Number of degrees conferred annually;
 - (O) Alignment of program with stated program and institutional goals and purposes;
 - (P) Program curriculum and duration in comparison to peer programs;
 - (Q) Program facilities and equipment;
 - (R) Program finance and resources; and
 - (S) Program administration.
- (10) Institutions shall submit a report of the outcomes of each review, including the evaluation of the external reviewer(s) and actions the institution has taken or will take to improve the program, and shall deliver these reports to the Academic Quality and Workforce Division no later than 180 days after the reviewer(s) have submitted their findings to the institution.
- (11) Institutions may submit reviews of graduate programs performed for reasons of programmatic licensure or accreditation in satisfaction of the review and reporting requirements in this subsection.
- (c) The Coordinating Board shall review all reports submitted for master's and doctoral programs and shall conduct analysis as necessary to ensure high quality. Institutions may be required to take additional actions to improve their programs as a result of Coordinating Board review.

§5.53. Annual Evaluation of New Doctoral Degree Programs.

- (a) New doctoral degree programs shall be monitored by the Board staff for a period of five years following implementation of the program to assure that any conditions of approval stipulated by the Board have been satisfied by the end of that period.
- (b) Progress toward satisfaction of any conditions of approval shall be described in the new doctoral program's annual reports to the Board.
- (c) A new doctoral degree program that adequately satisfied all conditions of approval during the first five years following program implementation shall not be required to submit further annual reports unless directed to do so by the Commissioner.

§5.54. Noncompliance with Conditions of Approval for New Doctoral Degree Programs.

- (a) A new doctoral degree program that fails to satisfy all contingencies and conditions of approval by the end of the first five years following program implementation shall be notified in writing of said failure by the Board staff. Within sixty (60) days of receipt of notification, the program shall:
 - (1) provide to the Board staff a written report containing the institution's findings as to why all conditions of approval were not met;
 - (2) submit a written plan describing how the program will fulfill all unsatisfied conditions of approval within one year; and
 - (3) at the end of the one-year period provide a report to the Board staff on whether or not all unsatisfied conditions of approval have been fulfilled.
- (b) A new doctoral degree program that fails to satisfy all remaining conditions of approval during the one-year period referenced in subsection (a)(2) of this section shall be required to show cause why the program should not be closed.
- (c) Program Closure. If it is determined that a new doctoral degree program is in jeopardy of noncompliance with the conditions of its approval, Coordinating Board staff may notify the

institution in writing with a recommendation. If the institution where the program is located wishes to close the program, the institution shall:

- (1) give appropriate notification to the Southern Association of Colleges and Schools Commission on Colleges;
 - (2) cease to admit new students to the program and provide Board staff with the names, dates of admission, and projected graduation dates of all students currently enrolled in the program;
 - (3) teach out students currently enrolled in the program over a period of time not to exceed one and one-half times the normal program length. The Commissioner may extend the duration of the teach-out period if the institution presents compelling evidence that an extension is appropriate and necessary;
 - (4) ensure that all courses necessary to complete the program are offered on a timely basis;
 - (5) close the program when the last student enrolled in the program has graduated or the teach-out period has lapsed; and
 - (6) notify the Coordinating Board when the program is finally closed.
- (d) If the institution chooses not to follow the recommendation, Coordinating Board staff may send the recommendation to the governing board of the institution. If the governing board does not accept the recommendation to eliminate the program, then the university system or, where a system does not exist, the institution must identify the programs recommended for closure by the Coordinating Board on the next legislative appropriations request submitted by the system or institution.

§5.55. Revisions to Approved Programs:

Degree programs on the approved program inventory of a public university or health-related institution may be revised under the following conditions:

- (1) Revisions to degree program curricula that result in a reduction in the overall number of semester credit hours required for the program are automatically approved and require Board notification through a letter from the provost or chief academic officer. Such revisions may not reduce the number of required hours below the minimum requirements of the Southern Association of Colleges and Schools Commission on Colleges, program accreditors, and licensing bodies, if applicable.
- (2) Revisions to degree program curricula that result in an increase in the overall number of semester credit hours required for the program must be reviewed and approved by Board staff prior to implementation by the institution. The institution must provide detailed written documentation describing the compelling academic reason for the increase in the number of required hours. The Coordinating Board will review the documentation provided and make a determination to approve or deny the request.
- (3) Revisions to degree program curricula that do not result in a change in the overall number of semester credit hours required for the program do not require Board approval or notification.
- (4) Revisions to other aspects of degree programs, including changes to the Classification of Instructional Programs coding, degree designation, degree title, or a consolidation of the program with one or more existing programs, must be approved by Board staff.

Committee on Academic and Workforce Success

AGENDA ITEM V-H (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

RECOMMENDATION: Approval

Background Information:

The new rules carry out the Coordinating Board's statutory obligations under Texas Education Code (TEC), Sections 61.0512, 130.302, and 130.312, in a single centralized location, organized to improve the readability of the Board's administrative code. Because the old rules in Ch. 9 have been superseded by the new rules in Ch. 2, the Coordinating Board proposes repeal of the old rules. The new rule language better aligns with TEC 130.0104 and 61.0512 and improves the navigability and readability of rules for institutions subject to these requirements. The proposed repeal will remove the old rules superseded by the new rule content. The new rule language brings Coordinating Board processes and procedures closer to the requirements of statute, contained in TEC 61.0512, while also improving the navigability and readability of rules for institutions subject to these requirements. The proposed repeal will remove the old rules superseded by the new rule content.

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*: October 13, 2023

The 30-day comment period with the *Texas Register* ended on November 12, 2023

No comments were received regarding these rules.

Chapter 9:
Program Development in Public Two-Year Colleges

Subchapter J:
Academic Associate Degree and Certificate Programs

§9.181 Purpose.

§9.182 Authority.

§9.183 Degree Titles, Program Length, and Program Content.

§9.184 Criteria for New Academic Associate Degree Programs and Steps for Implementation.

§9.185 Academic Certificates.

§9.186 Academic Programs Offered by Texas State Technical College-Harlingen.

~~9.181 Purpose~~

~~This subchapter provides rules for the structure of academic associate degree programs offered by public community colleges, Texas State Technical College-Harlingen, and the Lamar State Colleges that are eligible for state appropriations.~~

~~9.182 Authority~~

~~The Texas Education Code, §§61.003, 61.0513, 61.053, 61.054, 61.055, 61.061, 61.062(c) — (d), 61.075, 130.001(b)(3) — (4), 130.003(e)(1), (2), (3) and (7) and 135.04, authorize the Coordinating Board to adopt policies, enact regulations, and establish rules for the coordination of postsecondary certificate and associate degree programs eligible for state appropriations.~~

~~9.183 Degree Titles, Program Length, and Program Content~~

~~(a) An academic associate degree may be called an associate of arts (AA), an associate of science (AS), or an associate of arts in teaching (AAT) degree.~~

~~—(1) The AA is the default title for an academic associate degree program if the college offers only one type of academic degree program.~~

~~—(2) If a college offers both AA and AS degrees, the degree programs may be differentiated in one of two ways, including:~~

~~—(A) The AA program may have additional requirements in the liberal arts and/or the AS program may have additional requirements in disciplines such as science, mathematics, or computer science; or~~

~~—(B) The AA program may serve as a foundation for the Bachelor of Arts (BA) degree and the AS program for the Bachelor of Science (BS) degree.~~

~~—(C) Each academic associate degree must provide a clearly articulated curriculum that can be associated with a discipline or field of study leading to a baccalaureate degree, and must be identified as such in the institution's program inventory.~~

~~—(3) The AAT is a specialized academic associate degree program designed to transfer in its entirety to a baccalaureate program that leads to initial Texas teacher certification. This title should only be used for an associate degree program that consists of a Board-approved AAT curriculum.~~

~~(b) Academic associate degree programs must consist of 60 semester credit hours (SCH).~~

~~(c) If the number of SCH required to complete a proposed academic associate's degree exceeds 60, the institution must provide detailed written documentation describing the compelling academic reason for the number of required hours, such as programmatic accreditation requirements, statutory requirements, or licensure/certification requirements that cannot be met without exceeding the 60-hour limit. The Coordinating Board will review the documentation provided and make a determination to approve or deny a request to exceed the 60-hour limit. Institutions of higher education must be in compliance with this subsection on or before the 2015 fall semester.~~

~~(d) Except as provided in paragraphs (1), (2), and (3) of this subsection, academic associate degree programs must incorporate the institution's approved core curriculum as prescribed by §4.28 of this title (relating to Core Curriculum) and §4.29 of this title (relating to Core Curricula Larger than 42 SCH).~~

~~—(1) A college may offer a specialized academic associate degree that incorporates a Board-approved field of study curriculum as prescribed by §4.32 of this title (relating to Field of Study Curricula) and a portion of the college's approved core curriculum if the coursework for both would total more than 60 SCH; or~~

~~—(2) A college may offer a specialized academic associate degree that incorporates a voluntary statewide transfer compact and a portion of the college's approved core curriculum if the coursework for both would total more than 60 SCH.~~

~~—(3) A college that has a signed articulation agreement with a General Academic Teaching Institution to transfer a specified curriculum may offer a specialized AA or AS (but not AAT) degree program that incorporates that curriculum.~~

~~9.184 Criteria for New Academic Associate Degree Programs and Steps for Implementation~~

~~(a) New academic associate degree programs shall be approved if all of the following conditions are met:~~

~~—(1) The institution shall certify that the following criteria have been met:~~

~~—(A) The program has institution and governing board approval.~~

~~—(B) There is recent evidence of both short-term and long-term student demand for the program.~~

~~—(C) Enrollment projections reflect student demand estimates to ensure the financial self-sufficiency of the program.~~

~~—(D) The institution has an enrollment management plan for the program.~~

~~—(E) If the program does not follow a Board-approved field of study curriculum or a Board-approved statewide articulation transfer curriculum, the institution has or will initiate a process to establish transfer of credit articulation agreements for the program with senior-level institutions.~~

~~—(F) The program is designed to be consistent with the standards of the Southern Association of Colleges Commission on Colleges, other applicable accrediting agencies, and is in compliance with applicable licensing authority requirements.~~

~~—(G) Adequate funding is available to cover all new costs to the institution over the first five years after the implementation of the program.~~

~~—(H) The program complies with all applicable provisions contained in divisions of this subchapter and, adheres to the Standards for Academic Associate Degree Programs approved by the Board.~~

~~—(2) The institution proposing the program shall notify all public institutions within 50 miles of the teaching site of their intention to offer the program at least 30 days prior to submitting their request to the Coordinating Board. If no objections are received, the Coordinating Board staff shall update the institution's program inventory accordingly. If objections occur, the proposed program shall not be implemented until all objections are resolved. If the proposing institution cannot resolve the objection(s), the proposing institution may request the assistance of the Assistant Commissioner of Workforce, Academic Affairs and Research to mediate the objections and determine whether the proposing institution may implement the proposed program.~~

~~—(3) New Program Approval. The Board delegates to the Commissioner final approval authority for all certificate programs, applied associate degree programs, and academic associate degrees that meet Board policies for approval as outlined in the Guidelines for Instructional Programs in Workforce Education and this subchapter. The Commissioner may delegate this final authority.~~

~~(b) The Coordinating Board reserves the right to audit a certificate or degree program at any time to ensure compliance with any of the requirements in this subchapter.~~

~~9.185 Academic Certificates~~

~~A college may award an academic certificate to a student who completes:~~

~~—(1) the college's approved core curriculum; or~~

~~—(2) a Board approved field of study curriculum; or~~

~~—(3) fifty percent of the courses specified in a voluntary statewide transfer compact.~~

~~9.186 Academic Programs Offered by Texas State Technical College Harlingen~~

~~(a) Texas State Technical College Harlingen may offer the associate of science degree in accordance with the provisions of Texas Education Code §135.51(b)(1-2).~~

~~(b) An associate of science degree program offered by TSTC Harlingen shall not unnecessarily duplicate existing programs offered in the service areas of Del Mar College, South Texas College, or Texas Southmost College.~~

Subchapter L – Multidisciplinary Studies Associate Degrees

<rule>

§9.550. Purpose.

§9.551. Authority.

§9.552. Definitions.

§9.553. Multidisciplinary Studies Associate Degree Program.

§9.554. Adoption of Program.

§9.555. Student Advising.

9.550 Purpose

~~The purpose of this subchapter is to establish the Coordinating Board's oversight for public community colleges regarding Multidisciplinary Studies Associate Degrees.~~

9.551 Authority

~~Authority for this subchapter is provided by Texas Education Code, §130.0104, which provides the board with the authority to administer Multidisciplinary Studies Associate Degrees.~~

9.552 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 Coordinating Board—The Texas Higher Education Coordinating Board.~~
- ~~–(2) Core Curriculum—Has the meaning as defined by §4.28 of this title (relating to Transfer of Credit, Core Curriculum and Field of Study Curricula).~~
- ~~–(3) Degree Plan—The meaning as defined in Texas Education Code, §51.9685(a)(1).~~
- ~~–(4) Four-year College or University—A degree-granting postsecondary institution as define in Texas Education Code, §61.003(3).~~
- ~~–(5) Multidisciplinary Studies Associate Degree Program—A coordinating board approved associate of arts or associate of science degree composed of the college's core curriculum and enough additional courses to equal 60 semester credit hours (SCH). The SCH beyond the core curriculum must be selected by the student, in consultation with an academic advisor, and transfer to a specific field of study or major at a university of the student's choice.~~
- ~~–(6) Public Community College—The meaning as defined in Texas Education Code, §61.003(2).~~

9.553 Multidisciplinary Studies Associate Degree Program

~~A multidisciplinary studies associate degree program established at a junior college under this section must require a student to successfully complete:~~

- ~~–(1) The junior college's core curriculum adopted under Texas Education Code, Texas Education Code §61.822(b); and~~
- ~~–(2) After completion of the core curriculum under paragraph (1) of this subsection, the courses selected by the student in the student's completed degree plan accounts for all remaining credit hours required for the completion of the degree program; and~~
- ~~–(3) Emphasizes the student's transition to a particular four-year college or university that the student chooses; and prepare for the student's intended field of study or major at the four-year college or university.~~

9.554 Adoption of Program

~~The governing board of each public junior college district shall establish a multidisciplinary studies associate degree program which meets the requirements of this subchapter at each junior college in the district.~~

~~9.555 Student Advising~~

~~A student enrolled in a multidisciplinary studies associate degree program shall file a degree plan as prescribed by TAC Chapter 4, Subchapter T. The student must meet with an academic advisor to complete a degree plan, as defined by §9.553 of this title (relating to Multidisciplinary Studies Associate Degree Program), that:~~

- ~~–(1) Accounts for all remaining credit hours required for the completion of the degree program; and~~
- ~~–(2) Emphasizes the student's transition to a particular four-year college or university that the student chooses; and~~
- ~~–(3) Preparations for the student's intended field of study or major at the four-year college or university.~~

CHAPTER 9: PROGRAM DEVELOPMENT IN PUBLIC TWO-YEAR COLLEGES

SUBCHAPTER N: BACCALAUREATE DEGREE PROGRAMS

<rule>

§9.670. Purpose.

§9.671. Authority.

§9.672. Definitions.

§9.673. General Provisions.

§9.674. Program Requirements.

§9.675. Required Articulation Agreements.

§9.676. Special Requirements for Nursing Degree Programs.

§9.677. Funding.

§9.678. Reporting.

~~9.670 Purpose~~

~~The purpose of this subchapter is to establish the Coordinating Board's oversight for public junior colleges regarding offering certain baccalaureate degree programs.~~

~~9.671 Authority~~

~~Authority for this subchapter is provided by Texas Education Code, §130.302 and §130.312, which provides the board with the authority to adopt rules to administer and approve certain baccalaureate degree programs at public junior colleges.~~

~~9.672 Definitions~~

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

~~–(1) Baccalaureate degree programs—Any grouping of subject matter courses consisting of at least 120 semester credit hours which, when satisfactorily completed by a student, will entitle that student to a degree from a public junior college, public senior college or university or a medical or dental unit.~~

~~–(2) Bachelor of Applied Arts and Science (BAAS)—Builds on an Associate of Applied Science (AAS) degree, as defined in §9.1 of this chapter (relating to Definitions), combined with enough additional core curriculum courses and upper level college courses to meet the minimum semester credit hour requirements for a bachelor's degree. The degree program is designed to grow professional management skills of the learner and meet the demand for leadership of highly technical professionals in the workplace. May also be called a Bachelor of Applied Technology (BAT) or Bachelor of Applied Science (BAS).~~

~~–(3) Carl D. Perkins Career and Technical Act of 2006 (Public Law 109-270, and any successor(s) thereto). The Act requires core indicators of performance for career and technical education students to be developed by each eligible agency in its State plan.~~

~~–(4) Coordinating Board—The Texas Higher Education Coordinating Board.~~

~~–(5) External financial governing bodies—The Government Accounting Standards Board, Texas Comptroller of Public Accounts, or similar bodies that direct the structure and process of annual financial reporting. This does not include Boards of Regents or other bodies not having the ability to compel financial reporting changes at all institutions of higher education.~~

~~–(6) General academic teaching institution—Means any college or university as defined in Texas Education Code Section 61.003(3).~~

~~–(7) Governing board—The body charged with policy direction of any public junior college, including but not limited to boards of directors, boards of regents, boards of trustees, and independent school district boards insofar as they are charged with policy direction of a public junior college.~~

~~–(8) Institutions of higher education—Any college or university as defined in Texas Education Code §61.003(8).~~

~~–(9) Medical and dental unit—Any college or university as defined in Texas Education Code §61.003(5).~~

~~–(10) Pilot project—Refers to a public junior college authorized by the Coordinating Board to offer a baccalaureate degree before January 1, 2017.~~

~~—(11) Positive Assessment of the overall financial health of a district—A score of 2.0 or higher on the composite financial index as produced by the THECB in the annual Community College Financial Condition Report. (As required by the General Appropriations Act, 85th Texas Legislature, Article III Education, Public Community/Junior Colleges, Rider 12 and any successor(s) thereto).~~

~~—(12) Public Junior College—Any junior college as defined in Texas Education Code, §61.003(2).~~

9.673 General Provisions

~~(a) All baccalaureate degree programs offered at public junior colleges must comply with the provisions of this subchapter.~~

~~(b) A public junior college offering a baccalaureate degree program under this subchapter must meet all applicable accreditation requirements of the Southern Association of Colleges and Schools Commission on Colleges of a Level II institution.~~

~~(c) A public junior college district offering a baccalaureate degree program may not offer more than five baccalaureate degree programs at any time unless the institution previously participated in a pilot project to offer baccalaureate degree as defined in §9.672(10) of this subchapter not withstanding if accredited as a single institution or as separate institutions within a district.~~

~~(d) Except as provided by subsection (e) of this section, a public junior college may be approved to offer a baccalaureate degree program under this subchapter only if its junior college district:~~

~~—(1) has a taxable property valuation of not less than \$6 billion based on the preceding year's calculations as determined by the county's appraisal district. This valuation shall include the valuation of the taxing district as well as any branch campus maintenance tax valuations; and~~

~~—(2) has received a positive assessment of the overall financial health, as defined in §9.672 of this subchapter, on the most recent Community College Financial Condition Report. If changes to financial reporting, mandated by external financial governing bodies as defined in §9.672 of this subchapter directing financial reporting processes, or other extraordinary factors have a short-term impact to the assessment of the financial health of the institution, the Coordinating Board may, at the Commissioner's discretion:~~

~~—(A) Use the most recent report not impacted by the mandated changes; or~~

~~—(B) Calculate the financial health correcting for the mandated changes or extraordinary factors.~~

~~(e) The requirement of subsection (d)(1) of this section does not apply to baccalaureate degree programs in nursing if the public junior college district:~~

~~—(1) has a taxable property valuation of not less than \$4 billion on the preceding year's calculations as determined by the county's appraisal district; and~~

~~—(2) does not have a four-year institution of higher education located in county(ies) of the public junior college district.~~

~~(f) Offering a baccalaureate degree program under this subchapter does not otherwise alter the role and mission of a public junior college.~~

~~(g) Degree programs offered under this subchapter are subject to the continuing approval of the coordinating board.~~

9.674 Program Requirements

- ~~(a) Must meet the same criteria and standards the coordinating board uses to approve baccalaureate degree programs at general academic teaching institutions and medical and dental units.~~
- ~~(b) Before a baccalaureate degree program can be offered at a public junior college these additional requirements must be met:

 - ~~—(1) workforce need for the degree program must be documented in the region served by the junior college; and~~
 - ~~—(2) how the degree program would complement the other programs and course offerings of the junior college; and~~
 - ~~—(3) documentation of program success for the underlying associate degree, such as licensure pass rates, employment placement rates, and completion rates.~~~~
- ~~(c) Before a public junior college may be authorized to offer a baccalaureate degree program under this subchapter, the public junior college must submit a report to the coordinating board that includes:

 - ~~—(1) a long-term financial plan for receiving accreditation from the Southern Association of Colleges and Schools, Commission on Colleges;~~
 - ~~—(2) a long-term plan for faculty recruitment that:

 - ~~—(A) indicates recruitment strategies and the ability to pay the increased salaries of doctoral faculty; and~~
 - ~~—(B) ensures the program would not draw faculty employed by a neighboring institution offering a similar program; and~~~~
 - ~~—(3) detailed information on the manner of program and course delivery.~~~~

9.675 Required Articulation Agreements

- ~~(a) Before a public junior college may offer a baccalaureate degree program, the institution must provide at least three articulation agreements with general academic teaching institutions or medical and dental units that:

 - ~~—(1) provide detailed information regarding existing course transfer and dual enrollment pathways, detailing the maximum number of students that can be served by the agreements, and~~
 - ~~—(2) explain why existing facilities and resources cannot be expanded to meet workforce need, and~~
 - ~~—(3) documentation that the established articulation agreements are at capacity, or~~
 - ~~—(4) the reasons why no articulation agreements have been established.~~~~
- ~~(b) The Coordinating Board may not authorize a public junior college to offer a baccalaureate degree in a field if articulation agreements with general academic teaching institutions or medical and dental units are sufficient to meet the needs of that field.~~
- ~~(c) Each public junior college that offers a baccalaureate degree program under this subchapter must enter into a teach-out agreement for the first five years of the program with one or more general academic teaching institutions or medical and dental units to ensure that students enrolled in the degree program have an opportunity to complete the degree if the public junior college ceases to offer the degree program.~~
- ~~(d) The coordinating board may require a general academic teaching institution or medical and dental unit that offers a comparable baccalaureate degree program to enter into an articulation agreement with the public junior college as provided by this subsection.~~

~~(e) Each public junior college that offers a program under this subchapter must inform all students who enroll in the program covered by the articulation agreement about the opportunity to complete the degree at a general academic teaching institution or medical and dental unit.~~

9.676 Special Requirements for Nursing Degree Programs

~~Before a public junior college may offer a baccalaureate degree program in nursing, the institution must:~~

- ~~–(1) provide evidence to the coordinating board and the Texas Board of Nursing that the public junior college has secured adequate long-term clinical space and documentation from each clinical site provider indicating that the clinical site has not refused a similar request from a general academic teaching institution or medical and dental unit; and~~
- ~~–(2) establish that the corresponding associate degree nursing program offered by the public junior college has been successful as indicated by job placement rates and licensing exam scores for the previous three years; and~~
- ~~–(3) be a bachelor of science degree program that meets the standards and criteria the Texas Board of Nursing uses to approve pre-licensure degree programs at general academic teaching institutions and medical and dental units regardless of whether the program is a pre-licensure or post-licensure program; and~~
- ~~–(4) be accredited or seeking accreditation by a national nursing accrediting body recognized by the United States Department of Education; and~~
- ~~–(5) A public junior college offering a baccalaureate degree program in the field of nursing under this subchapter must demonstrate to the coordinating board that it will maintain or exceed the 2016–2017 academic year enrollment level of the institution's associate degree nursing program each academic year until the 2021–2022 academic year; and~~
- ~~–(6) the institution must receive program approval from the Texas Board of Nursing.~~

9.677 Funding

~~(a) Except as provided by subsection (b) of this section, a degree program created under this subchapter may be funded solely by a public junior college's proportionate share of state appropriations under §130.003, local funds, and private sources.~~

~~(b) This subchapter does not require the legislature to appropriate state funds to support a degree program created under this subchapter. Nor does this subsection prohibit the legislature from directly appropriating state funds to support junior-level and senior-level courses to which this subsection applies.~~

~~(c) The coordinating board shall weigh contact hours attributable to students enrolled in a junior-level or senior-level course offered under this subchapter used to determine a public junior college's proportionate share of state appropriations under Section 130.003 in the same manner as a lower division course in a corresponding field unless the college participated in a pilot project to offer baccalaureate degree programs as defined in §9.672(10) of this subchapter.~~

~~(d) Notwithstanding subsection (c) of this section, in its recommendations to the legislature relating to state funding for public junior colleges, the coordinating board shall recommend that a public junior college that participated in a pilot project to offer baccalaureate degree~~

~~programs as defined in §9.672(10) of this subchapter receive substantially the same state support for junior-level and senior-level courses in the fields of applied science, applied technology, dental hygiene, and nursing offered under this subchapter as that provided to a general academic teaching institution for substantially similar courses.~~

~~(c) In determining the contact hours attributable to students enrolled in a junior-level or senior-level course in the field of applied science, applied technology, dental hygiene, or nursing offered under this section used to determine a public junior college's proportionate share of state appropriations under §130.003, the coordinating board shall weigh those contact hours as necessary to provide the junior college the appropriate level of state support to the extent state funds for those courses are included in the appropriations.~~

~~(f) A public junior college may not charge a student enrolled in a baccalaureate degree program offered under this subchapter tuition and fees in an amount that exceeds the amount of tuition and fees charged by the junior college to a similarly situated student who is enrolled in an associate degree program in a corresponding field. This subsection does not apply to tuition and fees charged for a baccalaureate degree program in the field of applied science or applied technology previously offered as part of a pilot project to offer baccalaureate degree programs as defined in §9.672(10) of this subchapter.~~

9.678 Reporting

~~Each public junior college offering a baccalaureate degree program under this subchapter shall conduct a review of each baccalaureate degree program offered and prepare a biennial report on the operation, quality, and effectiveness of the baccalaureate degree programs in a format specified by the board. A copy of the report shall be delivered to the coordinating board by January 1 of each odd-numbered year.~~

Committee on Academic and Workforce Success

AGENDA ITEM V-H (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

RECOMMENDATION: Approval

Background Information:

Senate Bill 1888, 87th Legislature, Regular Session, created the Texas First Early High School Completion Program and the Texas First Scholarship Program to promote efficiency in the state public education system and incentivize postsecondary enrollment of high-performing students at eligible institutions. Senate Bill 2294, 88th Legislature, Regular session, amended the Texas First Early High School Completion Program and the Texas First Scholarship Program to expand the program and to provide clarification regarding certain requirements. The amended rules in Texas Administrative Code, Title 19, Part I, Chapter 21, Subchapter D, Sections 21.51-21.52, will align the rules with statutory changes that were enacted on September 1, 2023, through Senate Bill 2294.

Rule 21.51 amends the definition of institutions eligible to participate in the program. The proposed amendments reflect the expansion of the program to all Texas public institutions of higher education to align with statutory changes.

Rule 21.52 amends eligibility for the Texas First Diploma. The amendment clarifies that a school district must award the diploma to interested, qualified students. The amendment also expands the assessments used to determine mastery for the “language other than English” subject area.

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

Date Published in the Texas Register: October 27, 2023.

The 30-day comment period with the *Texas Register* ends on: November 27, 2023.

Summary of comments received: No public comments were received.

CHAPTER 21. STUDENT SERVICES

SUBCHAPTER D. TEXAS FIRST EARLY HIGH SCHOOL COMPLETION PROGRAM

§21.51. Definitions.

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

(1) Coordinating Board--The agency, including staff, known as the Texas Higher Education Coordinating Board [~~"Coordinating board" means the agency, including staff, known as the Texas Higher Education Coordinating Board~~].

(2) Eligible Institution--An institution of higher education according to Texas Education Code, §61.003(8) [~~"Eligible institution" means an institution of higher education that is designated as a research university or emerging research university under the coordinating board's accountability system~~].

(3) Institution of Higher Education--An institution of higher education according to Texas Education Code 61.003 [~~"Institution of higher education" has the meaning assigned by Texas Education Code §61.003~~].

(4) Open-enrollment Charter--Has the meaning assigned by Texas Education Code, §12.002(3) and subchapter D.

(5) [(4)] Program--The [~~"Program" means the~~] Texas First Early High School Completion Program established under this section includes an open-enrollment charter high school or high school that is within a Texas school district.

§21.52. Eligibility for Texas First Diploma.

(a) Notwithstanding any other state or local law, a school district or open-enrollment charter school shall allow a student to graduate and receive a high school diploma [~~a student is entitled to early high school graduation~~] under the Texas First Early High School Completion Program if the student meets the criteria established in paragraphs (1) and (2) of this subsection. A student who achieves a required score on an assessment to meet the requirement of any one of paragraphs (1) and (2) of this subsection, shall be allowed to use that same assessment to meet the requirement of another section if the student's score meets the required minimum for each section.

(1) The student has met the following minimum criteria at the time of graduation:

(A) Earned at least twenty-two (22) high school credits by any permissible method, including credit by examination;

(B) Earned a final Grade Point Average equivalent to 3.0 on a 4.0 scale;

(C) Earned an overall scaled score in at least the 80th percentile on one or more of the following assessments: ACT, SAT, PSAT/NMSQT, TSIA/TSIA2, or GED, or alternatively, has a grade point average in the top ten percent of the student's current class during the current or semester prior to the counselor's or administrator's verification under subsection (b) of this section of a student's eligibility for early graduation under the Program; and

(D) Completed the requirement for the State of Texas Assessments of Academic Readiness End-of-Course (STAAR EOC) examinations for English I or II, Algebra I, and Biology by one of the following methods:

(i) If the student has taken the STAAR EOC for English I or II, Algebra I, and Biology, the student has achieved the satisfactory level of performance as defined by the Commissioner of Education; or

(ii) If the student has not taken the required STAAR EOC assessment for English I or II, Algebra I, or Biology, the student has satisfied the STAAR EOC requirement by achieving a passing score on a substitute assessment for that subject area authorized under Title 19 Texas Administrative Code, Chapter 101, Subchapter DD, §101.4002(b).

(2) The student has demonstrated the student's mastery of each subject area of English/Language Arts, Mathematics, Science, Social Studies, and a language other than English through assessments or other means eligible institutions commonly use to place students in courses that may be credited toward degree program requirements. A student may demonstrate mastery of each subject area, as applicable, by meeting one or more of the following criteria:

(A) Earning a score on the STAAR EOC assessment that meets the college readiness standards necessary to be exempt from application of the Texas Success Initiative as set out in Title 19 Texas Administrative Code, Chapter 4, Subchapter C, §4.54;

(B) Credit earned in a course in the core curriculum of an institution of higher education in which the student received at least a C; or

(C) Meeting the standards on the assessments set out in Figure 1.

Figure: 19 TAC §21.52(a)(2)(C) (.pdf)

~~{Figure: 19 TAC §21.52(a)(2)(C)}~~

(b) A counselor or administrator at the public school of a student who is eligible for early graduation under the Program must verify that the student meets the requirements in subsection (a)(1) and (2) of this section using a method established by the Coordinating Board prior to issuing a diploma to the student under this Program. A student is responsible for providing the official copy of the assessment results to their counselor or administrator to verify these requirements.

(c) A school that issues a diploma under the Program shall require the minimum number of assessments to demonstrate that the student meets the criteria established in subsection (a)(1) and (2) of this section and may not require a student to take any other STAAR End-of-Course assessment to graduate under the Program, except as required by this section.

TEXAS FIRST EARLY HIGH SCHOOL COMPLETION PROGRAM

Figure: 19 TAC §21.52(a)(2)(C)

Subject Area Assessments and Benchmarks

ASSESSMENT INSTRUMENT	ENGLISH SUBJECT AREA	MS	MATH SUBJECT AREA	MS	SCIENCE SUBJECT AREA Biology, Physics, Chemistry, or other science	MS	SOCIAL STUDIES SUBJECT AREA History, Government, Economics, Psychology, or other social studies	MS	LANGUAGE OTHER THAN ENGLISH SUBJECT AREA World language or Computer Science	MS
SAT	EBRW	480	Math	530	SAT ST	700	SAT ST	690	SAT ST	730
ACT	English	18	Math	22	Science	23	Reading	22	--	--
PSAT/NMSQT	EBRW	460	Math	510	--	--	--	--	--	--
ACT – Plan	English	19	Math	19	Science	20	Reading	18	--	--
AP	English	3	Math	3	AP ST	3	AP ST	3	AP ST	3
CLEP	English	50	Math	50	CLEP ST	50	CLEP ST	50	CLEP ST	50
IB	Language/Literature	4	Math	4	Sciences ST	4	Individuals and Societies ST	4	Language Acquisition ST	4
TSIA	Reading	351 +4E	Math	450	--	--	--	--	--	--
TSIA2	ELAR	945 ± 5E	Math	950	--	--	--	--	--	--
GED	English	165	Math	165	Science	165	Social Studies	165	--	--
FLATS										P (Pass) 101, 102, or 201

Gray Column indicates minimum score (MS) ST =

Subject Test

E= Essay

Committee on Academic and Workforce Success

AGENDA ITEM V-H (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

RECOMMENDATION: Approval

Background Information:

These amendments align the rules with statutory changes that were enacted on September 1, 2023, through Senate Bill 2294, 88th Texas Legislature, Regular Session.

Amendments to rules 22.550 and 22.552 reflect the expansion of the program to all Texas public institutions of higher education.

Amendments to rules 22.551, 22.554, and 22.555 clarify the academic year used in determining the discontinuation of a student's eligibility and determining the scholarship amount. This establishes a standard to be used across all participating institutions to reflect that the discontinuation of a student's eligibility and the scholarship amount are based on the first academic year that begins after a student's graduation from high school. Rule 22.556 is amended to align the calculation of the disbursement with the reporting period used to make the calculation.

Rule 22.556 is also corrected from what was published in the proposed rule due to the inadvertent strikethrough of the word “board” instead of “staff. This is a nonsubstantive change.

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*: October 27, 2023

The 30-day comment period with the *Texas Register* ended on: November 26, 2023.

No comments were received regarding this rule.

CHAPTER 22 STUDENT FINANCIAL AID PROGRAMS

SUBCHAPTER T TEXAS FIRST SCHOLARSHIP

§22.550. Authority and Purpose.

(a) Authority. Unless otherwise noted in a section, the authority ~~[Authority]~~ for this subchapter is provided in the Texas Education Code, Chapter 56, Subchapter K-1, Texas First Scholarship Program. This subchapter establishes procedures to administer Texas Education Code, §§56.221 - 56.227.

(b) Purpose. The purpose of this program is to incentivize the enrollment of high performing students at ~~[the]~~ Texas ~~[public research and emerging research]~~ institutions of higher education as defined in Texas Education Code, §61.003.

§22.551. Definitions.

In addition to the words and terms defined in §13.142 of this title ~~[Title]~~ (relating to Definitions) and §22.1 of this chapter ~~[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:

(1) Academic Year--The 12-month period starting with the fall semester.

(2) [(+)] Program--The Texas First Scholarship program.

(3) [(2)] Scholarship--The Texas First Scholarship.

§22.552. Eligible Institutions.

(a) Participation.

(1) For any student graduating through the Texas First Early High School Completion Program on or after September 1, 2023, institutions of higher education, as defined in Texas Education Code, §61.003, are required to apply the state credit available to a student through the Program to the eligible student's cost of attendance, as outlined in §22.555 of this subchapter (relating to Scholarship Amount).

(2) For any student graduating through the Texas First Early High School Completion Program before September 1, 2023, institutions of higher education, as defined in Texas Education Code, §61.003, that are [Institutions] designated as either a public research university or public emerging research university under the coordinating board's accountability system are required to apply the state credit available to a student through the Program to the eligible student's costs of attendance, as outlined in §22.555 of this subchapter [(relating to Scholarship Amount)].

(b) Responsibilities. Participating public institutions are required to abide by the General Provisions outlined in subchapter ~~[Subchapter]~~ A of this chapter ~~[Chapter]~~ (relating to General Provisions).

(c) Approval. Each eligible public institution must enter into an agreement with the Board, the terms of which shall be prescribed by the Commissioner or his/her designee, prior to receiving reimbursement through the program.

§22.554. Discontinuation of Eligibility or Non-Eligibility.

State credit offered to a student through this program expires at the end of the first academic year that begins following the student's graduation from high school.

§22.555. Scholarship Amount.

(a) The scholarship is issued by the Coordinating Board ~~[staff]~~ as a state credit for use by an eligible student at any eligible institution.

(1) For a student who graduated from high school two or more semesters or the equivalent earlier than the student's high school cohort, the state credit offered to the student will equal the maximum annual (two semester) TEXAS Grant award determined by the Coordinating Board ~~[staff for the applicable academic year]~~. The calculation is based on TEXAS Grant value for the first academic year that begins following the student's graduation from high school.

(2) For a student who graduated from high school less than two semesters or the equivalent earlier than the student's high school cohort, the state credit offered to the student will equal half of the amount described by paragraph (1) of this subsection.

(b) The amount of state credit offered to a student under the program may not be considered in the calculation of any state or institutional need-based aid awards or the calculation of the student's overall financial need, unless the combination of the credit and other federal, state, and institutional financial aid, excluding work-study and loan programs, for which the student would otherwise be eligible exceeds the estimated total cost of attendance at the eligible institution at which the student is enrolled.

(c) On enrollment of an eligible student at an eligible institution, the institution shall apply the state credit to the student's charges for tuition, mandatory fees, and other costs of attendance.

(1) The amount applied for the semester is equal to the lesser of:

(A) The amount of the state credit available to the student; or

(B) The student's actual tuition, mandatory fees, and other costs of attendance at the institution.

(2) Remaining state credit may be applied to subsequent semesters prior to the end of ~~[within]~~ the first academic year that begins following the student's graduation from high school.

§22.556. Institutional Reimbursement.

(a) The Coordinating Board ~~[staff]~~ shall distribute to each eligible institution an amount of funds equal to the amount of state credit applied by the institution under §22.555 of this subchapter (relating to Scholarship Amount) during the ~~[preceding]~~ academic period reported under subsection (b) of this section ~~[year]~~.

(b) The institution's annual Financial Aid Database submission will be used to calculate the reimbursement amount.

Committee on Academic and Workforce Success

AGENDA ITEM V-H (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

RECOMMENDATION: Approval

Background Information:

The Texas Higher Education Coordinating Board proposes to amend and adopt new rules in Texas Administrative Code, Chapter 22, Subchapter N, establishing the Texas Leadership Scholars program in rule.

This rule establishes the Texas Leadership Scholars framework, allowing the program to provide merit scholarships, coupled with academic achievement support and leadership development, to assist eligible students to enroll in and graduate from public institutions of higher education in this state.

Dr. Jennielle Strother, Assistant Commissioner for Student Success, will present this item and be available to answer any questions.

Date Published in the Texas Register: November 3, 2023

The 30-day comment period with the *Texas Register* ends on December 4, 2023.

Summary of comments received:

Note: This rule was submitted to TX Register, withdrawn, then was resubmitted for renumbering purposes. The public comments below reference the original numbering (§§22.265 - 22.277). Responses will contain references to the current numbering (§§22.285 - 22.297).

Comment 1 from University of Texas at Tyler:

1. Regarding Rule 22.270, the university presents the following comments about allowing scholars to transfer to another participating institution. The university states, "Allowing scholars to transfer to another participating institution is not appropriate and harms the program participants."
 - Disrupts the cohort model that is in place and what is expected of selected members.

- Disservice to the students who were not selected for the spot that is now vacant.
 - Each institution has a different experience established, if transfers are allowed, institutions will have to determine how to catch a student up on the experiences they have missed. “The university comments that a possible solution is “to allow transfer students who were not selected nor have participated to be eligible to apply when applications are open. This solution provides additional opportunity to those not selected or aware of the program.”
2. Regarding Rule 22.275, the university asks if a scholar can receive multiple hardships. The university states that the language is not clear enough and that institutions will have to figure out where to place them in relation to their cohort if the hardship involves non-enrollment up to 1 year.
 3. Regarding Rule 22.275(b)(4), the university asks if an additional hardship is awarded or if the scholar must register full-time in his/her final semester before graduating, even if the scholar needs less than 12 hours to graduate. The university offers the recommendation to update the current language to reflect that the graduating semester is auto approved for hardship regardless of a previously granted hardship.
 4. Regarding Rule 22.275(c), the university asks for clarification about when a hardship starts and for how long. The university suggests clearer language (ie: time of application, academic year, or calendar year) or add language that states that the institution makes the determination.

Response 1:

The Coordinating Board appreciates these comments and provides the following responses.

1. Providing a Scholar the opportunity to transfer not more than one time, allows the scholar to continue in the program when they may experience unknown or unanticipated challenges, or changes on their journey to graduation. A Scholar will not be penalized for a one-time transfer to another eligible institution, and the Scholar will continue to receive support and leadership opportunities. The Coordinating Board will ensure that the eligible institution enrolling the transfer-in scholar receives scholarship funds for the Scholar's remaining period of eligibility. Based on available research, strong cohort models, as required with the Scholar's program, should limit the number of Scholars who seek a one-time transfer.
2. Yes, multiple hardships are allowable so long as the scholar has not exceeded four years of funding. The institution can make the determination if a scholar's cohort needs to change due to the scholar's need to receive a hardship during their eligibility and the institution is provided latitude to develop a hardship policy and make determinations based on said policy.
3. An eligible institution is permitted to and may include such language in its hardship policy as set forth in Rule 22.295(e). Rule 22.295(b)(4) states that a hardship condition may include a Scholar who needs fewer than twelve semester credit hours to complete their degree plan.
4. The institution is responsible for adopting a hardship policy and approving hardships in accordance with the policy.

Comment 2 from University of Texas at El Paso:

1. Regarding Rule 22.267(4), the university presents the following question for clarification: “We understood that the intention of the program was to select students with academic need (specifically TEXAS Grant eligibility) so that grant aid could essentially cover tuition and fees, and the additional scholarship funding provided by the state would cover housing and fees (seemingly confirmed by language in §22.276). However, when I read §22.267, I don’t see a rule requiring eligible institutions to apply the funds this way.”
2. Regarding Rule 22.268(5), the university comments that adding “applied for FAFSA/TAFSA and shown a financial need” would be an effective addition to the language.
3. Regarding Rule 22.268(A) the university asks whether information about the “Distinguished Level of Achievement under the “Foundation High School Program” will be included on the website and promotional materials.
4. Regarding Rule 22.268(3), the university presents the question about satisfactory academic progress and seeks clarification about which satisfactory academic progress requirements are to be followed: “...the student’s 1st year SAP is decided by the institution, but in their 2nd-4th year isn’t SAP determined by the requirements per TEXAS Grant”?
5. Regarding Rule 22.274(1) the university asks for clarification about the scholarship funding length. The university asks if the scholarship funding lasts up to 5 years only if the scholar receives a hardship or if the scholarship duration is 5 years even if the scholar does not receive a hardship.

Response 2:

The Coordinating Board appreciates these comments and offers the following responses:

1. The Coordinating Board will provide a scholarship for housing and food that must be applied towards the scholar’s account and may not exceed the cost of attendance. Participating institutions are responsible for utilizing any federal, state, or institutional aid to cover tuition and fees at no cost to the scholar. Each scholar must be Texas Grant eligible to participate in the program; however, it is up to the institution to determine what funds will be allocated to cover tuition and fees for each scholar.
2. Rule 22.288(a)(6) specifically states that a student must be TEXAS Grant eligible. Eligibility for a TEXAS grant includes financial need requirements. Therefore adding “financial need” to (a)(5) would be redundant.
3. A distinguished level of achievement under the foundation high school program will be provided in a guide to coordinators at participating institutions. This information can also be found at 19 Tex. Admin. Code § 74.12.
4. In order to receive an initial award, a student must be Texas Grant eligible. Satisfactory academic progress, as stated in Rule 22.289, is determined by the institution’s financial aid office based on the requirements used for federal financial aid programs.
5. A scholar cannot receive an award for a total of more than four years. Eligibility ends after five years unless a hardship is granted. Absent a hardship, it would be difficult for a scholar to remain eligible based on the continuation requirements in 22.288(b).

CHAPTER 22. STUDENT FINANCIAL AID PROGRAMS
SUBCHAPTER N. TEXAS LEADERSHIP SCHOLARS PROGRAM

§22.285.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 merit scholarships coupled with academic achievement support and leadership development to assist eligible students to enroll in and graduate from public institutions of higher education in this state.

§22.286.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 Texas Higher Education Coordinating Board to administer the Program.

(2) Board--The governing body of the agency known as the Texas Higher Education Coordinating Board.

(3) Commissioner--The Commissioner of Higher Education.

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

(5) Eligible Institution--A general academic teaching institution as defined by section 61.003(3) of the Texas Education Code.

(6) Mentoring--A program in which a student is paired with or serves as a mentor.

(7) Program--The Texas Leadership Scholars Program.

(8) Scholar--An eligible student who applied and was selected to participate in the Texas Leadership Scholars Program by a participating institution.

(9) Scholarship--A scholarship awarded to a scholar under the Program.

§22.287.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) Create 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;

(4) Ensure each Scholar receives sufficient financial aid from federal, state, and institutional grants and scholarships other than the scholarship awarded under the program to cover full tuition and fees for 4 years at no cost to the Scholar so long as the Scholar maintains eligibility; and

(5) 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 reimbursement 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 biennium.

(B) Notwithstanding subparagraph (A) of this paragraph, for the 2023-24 academic year, an eligible institution may indicate intent to participate in the program by the administrative deadline established by the Commissioner.

§22.288.Eligible Students.

(a) To receive an initial award through the Program, a student must:

(1) Submit an application for scholarship consideration through the Coordinating Board or Administrator;

(2) Have Texas resident status, as determined by chapter 21, subchapter B of this title (relating to Determination of Resident Status);

(3) Graduate from a Texas public high school, including an open-enrollment charter school;

(4) Be enrolled full-time in a baccalaureate degree program at a participating institution the fall semester immediately following high school graduation;

(5) Have applied for any available financial aid assistance;

(6) Be TEXAS Grant eligible, as determined by subchapter L, §22.228 of this chapter (relating to Eligible Students) and meet one of the following criteria under subparagraph (A) or (B) of this paragraph:

(A) Graduate with a distinguished level of achievement under the foundation high school program, and:

(i) Graduate in the top 10% of the student's high school graduating class; or

(ii) Submit with the application a nomination letter from the student's high school principal or counselor; or

(B) Be eligible to graduate with a Texas First Diploma as set out in chapter 21, subchapter D of this title (relating to Texas First Early High School Completion Program).

(b) To receive a continuation award through the Program, a scholar must:

(1) Have previously received an initial year award through this Program;

(2) Be enrolled full-time in a baccalaureate degree program where the scholar received initial award or at another participating eligible institution to which the student has transferred during the period of eligibility;

(3) Make satisfactory academic progress toward the baccalaureate degree at the eligible institution, as defined in §22.289 of this subchapter (relating to Satisfactory Academic Progress) unless the scholar is granted a hardship extension in accordance with §22.295 of this subchapter (relating to Hardship Provision);

(4) Have completed or is on target to complete programmatic requirements set forth in §22.291 and §22.292 of this subchapter (relating to Scholarship Selection Criteria and Academic Achievement Support, respectively) as reported by participating institution.

§22.289.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.

§22.290.Transfer.

A Scholar may transfer to another eligible institution not more than once during the student's period of eligibility. The Coordinating Board shall ensure that a participating eligible institution who enrolls a Scholar receives the scholarship funds for that student's remaining period of eligibility.

§22.291.Scholarship Selection Criteria.

The Coordinating Board or Administrator will receive scholarship applications and will forward qualified applications to each participating eligible institution of interest and the participating eligible institutions shall make selections based on a student's:

- (1) Scholarship interest through the application;
- (2) Ranking of the participating eligible institution as a top choice;
- (3) Eligibility criteria set forth in §22.288 of this subchapter (relating to Eligible Students);
- (4) Evidence of leadership and service within their high school and community; and
- (5) Demonstrated academic achievement and ability.

§22.292.Academic Achievement Support.

(a) Each participating eligible institution shall ensure that each 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.

(c) If a participating eligible institution is unable to include a scholar or scholars in subsection (a) of this section, academic programmatic elements, they must provide alternative programming that has been approved by the Commissioner to aid the scholar in making academic progress.

§22.293.Leadership Development.

(a) Each participating eligible institution must ensure that a Scholar's experience includes, at a minimum, the following cohort-based 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.

(c) If a participating eligible institution is unable to include a scholar or scholars in subsection (a) of this section, leadership development requirements, they must provide alternative programming that has been approved by the Commissioner to meet similar outcomes.

§22.294.Discontinuation of Eligibility or Non-Eligibility.

(a) A student who has already earned a baccalaureate 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 §22.295 of this subchapter (relating to Hardship Provisions), a student's eligibility for a grant ends:

(1) Five years from the start of the semester in which the student enrolls in the baccalaureate degree program at the eligible institution;

(2) Once the student has earned a cumulative total of 150 credit hours, including transferred hours, as verified by the student's institution; or

(3) If a Scholar transfers to another institution, except as authorized under §22.290 of this subchapter (relating to Transfer).

(c) Except as provided in §22.295 of this subchapter, a student may not receive a scholarship more than four years from the start of the semester in which the student enrolls in the baccalaureate degree program at the participating eligible institution.

§22.295.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 Scholar to receive a scholarship:

(1) While enrolled in fewer semester credit hours than required in §22.288 of this subchapter (relating to Eligible Students);

(2) If the Scholar fails to meet the satisfactory academic progress requirements of §22.288 of this subchapter; or

(3) If the scholar requires an extension of the limits found in §22.294(b) of this subchapter (relating to Discontinuation of Eligibility or Non-Eligibility) to complete his or her degree.

(b) Hardship conditions may include:

(1) Documentation of a serious health/condition that makes the Scholar unable to attend school or complete academic study;

(2) Documentation that the 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;

(3) The birth of a child or placement of a child with the student for adoption or foster care; or

(4) Scholar needing fewer than twelve semester credit hours to complete Scholar's degree plan.

(c) A hardship under this section may extend for a period of no longer than one year.

(d) Documentation of the hardship circumstances approved for a Scholar to receive a scholarship must be kept in the Scholar's files, and the institution must identify Scholars approved for a scholarship based on a hardship to the Coordinating Board, so that it may appropriately monitor each Scholar's period of eligibility.

(e) Eligible institutions shall adopt a hardship policy under this section, share such policy with Scholars and have the policy available in the financial aid office for public review upon request.

§22.296.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 amount of the scholarship in an academic year shall be the average cost of housing and food at the participating institution as approved by the Coordinating Board; and

(2) An institution may not reduce the amount of a scholarship by any gift aid for which the Scholar receiving the scholarship is eligible unless the total amount of a Scholar's scholarship plus any gift aid received exceeds the Scholar's cost of attendance.

(c) Allocation of Funds.

(1) The Commissioner shall determine and announce the number of initial scholarships available to each participating institution by January 31 of the prior fiscal year set forth in §22.288(a) of this subchapter (relating to Eligible Students);

(2) The number of scholarships for returning scholars will be the number of scholars eligible to receive the scholarship set forth in §22.288(b) of this subchapter; and

(3) Each participating eligible institution will receive an annual allocation equal to the number of scholarships times the average housing and food approved by the Commissioner. This amount shall include the amount necessary to cover the scholarships of a Scholar who transferred to the institution as authorized under this subchapter.

§22.297.Disbursement of Funds.

Upon request by an 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 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.