

Program Approval Rule Revision

Elizabeth Mayer, Assistant Commissioner,
Academic and Health Affairs

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Goals

- Better aligning degree and certificate approval processes to the agency's refreshed Strategic Plan.
- Bringing agency rules and procedures in line with statute.
- Minimizing institutions' regulatory burden and supporting innovation.
- Prioritizing the board meetings on the most meaningful program approval questions.
- Achieving the policy objective of having a comprehensive catalog of all credentials offered in the state; and
- Improving administrability of program review and approval with policies and processes that are feasible, efficient, and flexible.

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Reorganization of Proposed Rules

The proposed rules will be established in Texas Administrative Code Chapter 2. There will no longer be separate chapters depending on the type of institution making the request. Community Colleges, Universities, and Health-Related Institutions, will all have program approval rules in the same chapter.

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Substantive Changes

- Approval End Points
- Board Approvals
- General Criteria for Program Approval
- Informal Notice and Comment Period
- Intent to Plan

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General Criteria

In Existing Rule	New Proposed Rule
Need	Comments
Duplication	Cost
Finances	Alignment with Talent Strong Texas
Academic/Workforce Standards	

Public Comment

Eleven institutions submitted comments on the proposed rules for program review and approval. Comments received included three submissions from university system offices and ten submissions from public universities.

The following are the most significant revisions in response to the comments that were received.

Subchapter A. General Provisions
Rule 2.3, Definitions

Proposed Amendment: Amend 2.3(20) as follows: “New Content--as determined by the institution, content that the institution does not currently offer at the same instructional level as the proposed program. A program with sufficient new content to constitute a ‘significant departure’ from existing offerings under 34 CFR §602.22(a)(1)(ii)(C) meets the 50% new content threshold.”

Proposed Amendment: Amend 2.3(25) as follows: “Public Health-Related Institution--A medical or dental unit as defined by Tex. Educ. Code §61.003(5) Public health-related institutions that are supported by state funds.”

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Subchapter A. General Provisions
Rule 2.8, Time Limit on Implementing Approved
New Programs or Administrative Changes

Proposed Amendment: In 2.8(a), the following amendment is proposed: “Unless otherwise stipulated at the time of approval, if an approved new degree program is not established within two years of approval, that approval is no longer valid. An institution may submit a request to the Assistant Commissioner for approval to lengthen that time limit by one additional year for a compelling academic reason. The Assistant Commissioner has discretion to approve or deny the request.”

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Subchapter A. General Provisions
Rule 2.9, Revision and Modifications to an
Approved Program

Proposed Amendment: Change to 2.9(b): “For a program that initially required Board Approval beginning as of September 1, 2023, any substantive revision or modification to that program will require Board Approval under §2.4 of this subchapter. For all other programs, including programs that initially required Board Approval prior to September 1, 2023, any substantive revision or modification will require Assistant Commissioner Approval under §2.4(a)(2) of this subchapter.”

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Subchapter A. General Provisions
Rule 2.9, Revision and Modifications to an
Approved Program

Proposed Amendment: “(c) Non-substantive revisions and modifications include, but are not limited to:
[...]
(8) Changing the Degree Title or Designation; and
~~(9) Creation, consolidation, or closure of an administrative unit at a public university or a public health-related institution; and~~
(10) Other non-substantive revisions that do not materially alter the nature of the program, location, or modality of delivery, as determined by the Assistant Commissioner.
[...]
(e) Public universities and public health-related institutions must notify the Coordinating Board of changes to administrative units, including creation, consolidation, or closure of an administrative unit. Coordinating Board Staff will update the institution’s Program Inventory pursuant to this notification.”

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Subchapter A. General Provisions
Rule 2.9, Revision and Modifications to an
Approved Program

Proposed Amendment: Amend 2.9(a) as follows: “(a) ~~Substantive revisions and modifications include, but are not limited to:~~ Substantive revisions and modifications that materially alter the nature of the program, physical location, or modality of delivery, as determined by the Assistant Commissioner, include, but are not limited to:”

Amend 2.9(c) as follows: “(c) ~~Non-substantive revisions and modifications program include, but are not limited to:~~ Non-substantive revisions and modifications that do not materially alter the nature of the program, location, or modality of delivery, as determined by the Assistant Commissioner, include, but are not limited to:”

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Effective Dates

The new rule regarding preliminary planning takes effect June 1, 2023, and for those proposed programs not requiring preliminary planning the rules apply beginning September 1, 2023. For all other rules not related to program approval, the rules take effect September 1, 2023.

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