

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

SUBCHAPTER A: GENERAL PROVISIONS

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4.1. - 4.2. No change.

4.3. Definitions.

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

(1) Active military service--Active service in the armed forces of the United States or in the National Guard or the Texas State Guard.

(2) Associate of Science degree and the Associate of Arts degree--Collegiate degrees consisting of lower-division courses designed to prepare students for transfer to a bachelor's degree program.

(3) Associate of Applied Science degree and the Associate of Applied Arts degree--Technical certificates issued to students who complete workforce education curricula of collegiate level.

(4) Associate of Arts in Teaching degree--Board-approved collegiate degree programs consisting of lower-division courses intended for transfer to baccalaureate programs that lead to initial Texas teacher certification.

(5) Bachelor of General Studies degree--A program designed principally for mature students who seek a flexible degree program and who do not desire or may not meet prerequisites of a highly structured traditional degree program, and to permit students to plan, with advisement, an individualized program with access to a wide range of academic disciplines and fields of professional study.

(6) Bachelor of Applied Arts and Sciences degree--A program designed to provide a path to a bachelor's degree for students who have earned previous collegiate credit through workforce education curricula. The degree program combines general education requirements and a professional component designed to complement the student's technical or vocational competence.

(7) Board--The Texas Higher Education Coordinating Board.

~~[(8) College Readiness Standards--The knowledge and skills expected of students to perform successfully in the workplace and in entry-level courses offered at institutions of higher education.]~~

~~(8)~~ [(9)] Commissioner--The Commissioner of Higher Education.

~~(9)~~ [(40)] Common calendar--Dates and information pertaining to the beginning and ending (and lengths) of academic semesters and sessions, applicable to all Texas public universities and community, technical and state colleges.

~~(10)~~ [(41)] Consulting or testifying expert witness--Any non-fact witness whose name must be disclosed during litigation as required by the Texas Rules of Civil Procedure.

~~(11)~~ [(42)] Degree program--Any grouping of subject matter courses which, when satisfactorily completed by a student, will entitle the student to a degree from an institution of higher education.

~~(12)~~ [(43)] Faculty or professional staff of an institution of higher education--A non-classified, full-time employee who is a member of the faculty or staff and whose duties include teaching, research, administration or performing professional services, including professional library services.

~~(13)~~ [(44)] Fiscal year--The State of Texas' fiscal year, September 1 through August 31.

~~(14)~~ [(45)] Institution of higher education *or* institution--Any public technical institute, public junior college, public senior college or university, medical or dental unit, or other agency of higher education as defined in Texas Education Code, Section 61.003.

~~(15)~~ [(46)] Interdisciplinary baccalaureate degrees--The Bachelor of General Studies degree (defined in paragraph (4) of this section) and such general degrees as liberal arts or humanities. These broad-based degrees vary in the amount of prescriptive structure but share the characteristics of flexibility for the student and interdisciplinary course selection.

~~(16)~~ [(47)] Non-classified--An employee whose position is not controlled by the institution's classified personnel system or a person employed in a similar position if the institution does not have a classified personnel system.

~~(17)~~ [(48)] Religious holy day--A holy day observed by a religion whose places of worship are exempt from property taxation under the Texas Tax Code, §11.20.

~~[(19) Statewide Discipline-Based College Readiness Vertical Teams--Teams composed of public school educators and higher education faculty whose duties are consistent with those provided under Section 28.008(b) of the Texas Education Code.]~~

4.4 - 4.9. No change.

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SUBCHAPTER H: P-16 COLLEGE READINESS AND SUCCESS

Section

4.171. Purpose.

4.172. Authority.

4.173. Definitions.

4.174. P-16 College Readiness and Success Strategic Action Plan

4.175. [4.473]. Composition and Duties of Statewide Discipline-Based College Readiness Vertical Teams.

4.176. [4.474]. Appointment of Higher Education Faculty to the Statewide Discipline-Based College Readiness Vertical Teams.

4.177. Criteria for Student Participation and Institutional and Public School Eligibility for Implementing Programs to Enhance Student Success.

4.171. Purpose.

The purpose of this subchapter is:

(a) To establish rules, in cooperation with the commissioner of education, for the implementation of the P-16 College Readiness and Success Strategic Action Plan recommended by the statewide P-16 Council and adopted by the board;

(b) To establish the composition and duties of the statewide discipline-based college readiness vertical teams that have the responsibility to develop and recommend college readiness standards to the commissioner and the commissioner of education; and

(c) To establish the criteria for student participation, public school eligibility, and institutional eligibility for implementing programs to enhance student success.

4.172. Authority.

(a) Texas Education Code, Section 61.0761 provides the board with the authority to adopt rules to implement the P-16 College Readiness and Success Strategic Action Plan, in cooperation with the commissioner of education.

(b) Texas Education Code, Section 28.008 provides the commissioner with the authority to determine, in cooperation with the commissioner of education, the composition of statewide discipline-based college readiness vertical teams.

(c) Texas Education Code, Section 61.0762 provides the board with the authority to adopt rules to implement programs to enhance student success.

4.173. Definitions.

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

(1) Closing the Gaps by 2015—The master plan for higher education for the state of Texas, adopted in October 2000 by the Texas Higher Education Coordinating Board, directed at closing educational gaps within Texas, as well as between Texas and other states, and which has four goals: to close the gaps in student participation, student success, excellence, and research.

(2) College entrance assessment— The ACT and SAT or other assessments as determined by the commissioner that serve as indicators of student college readiness.

(3) College readiness assessment—The ACT PLAN and College Board Preliminary SAT or other assessments as determined by the commissioner that serve as early indicators of student college readiness.

(4) College readiness standards—The knowledge and skills expected of students to perform successfully in the workplace and in entry-level courses offered at institutions of higher education.

(5) College ready student—One who has the knowledge and skills necessary to begin entry-level college courses with a reasonable likelihood of success and does not require developmental education.

(6) Commissioner—The commissioner of higher education.

(7) Faculty—A person who is employed by an institution of higher education on a full- or part-time basis as a member of the faculty or staff and whose duties including teaching, research, administration (including professional librarians), or the performance of professional services. The term does not include a person employed in a position which is in the institution's classified personnel system, or a person employed in a similar type of position if the institution does not have a classified personnel system.

(8) Institution of higher education or institution—Any public technical institute, public junior college, public senior college or university, medical or dental unit, or other agency of higher education as defined in Texas Education Code, Section 61.003.

(9) Statewide discipline-based college readiness vertical teams—Teams composed of public school educators and higher education faculty whose duties are consistent with those provided under Section 28.008(b) of the Texas Education Code.

4.174. P-16 College Readiness and Success Strategic Action Plan

(a) To increase student success and decrease the number of students enrolling in developmental course work in institutions of higher education, the board, in cooperation with the commissioner of education, shall implement the P-16 College Readiness and Success Strategic Action Plan as recommended by the statewide P-16 Council and adopted by the board pursuant to Texas Education Code, Section 61.0761(a).

(b) The initiatives and activities to be implemented under the P-16 College Readiness and Success Strategic Action Plan include the creation of statewide discipline-based vertical teams outlined in Texas Education Code, Section 28.008, and programs to enhance student success outlined in Texas Education Code, Section 61.0762.

4.175 [4.173]. Composition and Duties of Statewide Discipline-Based College Readiness Vertical Teams.

(a) There shall be a total of four statewide discipline-based college readiness vertical teams: one each in English/Language Arts, Mathematics, Science, and Social Studies. All teams shall be composed of a minimum of 8 and a maximum of 20 members per subject area who represent the following:

- (1) All levels of public school educators;
- (2) Faculty from higher education to include public junior colleges, public community colleges, public technical institutes, public state colleges, public senior colleges or universities, and private or independent institutions of higher education as defined in Texas Education Code, Section 61.003;
- (3) A balance between small and large districts;
- (4) Various geographic regions of the state; and
- (5) Overall demographics of the state.

(b) A maximum of 60 percent of the statewide discipline-based college readiness vertical teams shall be composed of faculty from institutions of higher education.

(c) The statewide discipline-based college readiness vertical teams shall develop college readiness standards as defined in Texas Education Code, Section 28.008 (b) (1). The teams may create an interdisciplinary vertical team composed of one public education member and one higher education member from each discipline-based college readiness vertical team to review the standards and determine commonalities among the disciplines. The statewide discipline-based college readiness vertical teams shall recommend the college readiness standards to the commissioner of education and the commissioner.

(d) Upon completion of the development of college readiness standards, the statewide discipline-based college readiness vertical teams shall develop recommendations for curriculum alignment with college readiness standards and other materials as defined in Texas Education Code, Section 28.008 (b) (2)-(5). The teams shall be re-constituted at that time to ensure that a maximum of 60 percent of each of the re-constituted statewide discipline-based college readiness vertical teams shall be composed of secondary public education teachers employed full-time in Texas public school districts.

(e) In conjunction with the vertical teams, the commissioner shall appoint an advisory committee of no fewer than 12 members and no greater than 15 members that include representatives from each of the six targeted cluster industries as defined by the governor, to review and make recommendations regarding development of college readiness standards in each of the four subject matter areas.

4.176 [4.174]. Appointment of Higher Education Faculty to the Statewide Discipline-Based College Readiness Vertical Teams.

- (a) The commissioner shall determine the criteria for selecting faculty from institutions of higher education for appointment to the four statewide discipline-based college readiness vertical teams.
- (b) The commissioner shall solicit recommendations for appointment from institutions of higher education and appropriate higher education organizations.
- (c) Appointments by the commissioner to the statewide discipline-based college readiness vertical teams outlined in section 4.173 (a) shall be made no later than December 29, 2006.
- (d) Members representing institutions of higher education on the statewide discipline-based college readiness vertical teams outlined in section 4.173(a) may be removed or replaced at the discretion of the commissioner.

4.177. Criteria for Student Participation and Institutional and Public School Eligibility for Implementing Programs to Enhance Student Success.

(a) Summer higher education bridge programs. The purpose of this program is for institutions of higher education to provide public high school students who are not college-ready with appropriate instruction and other activities during summer programs to ensure eligible students achieve college readiness.

(1) Only institutions offering summer bridge programs outlined under Texas Education Code, Section 61.0762, shall be subject to this subsection.

(2) Each year for which state appropriations or other funding is available, the commissioner or his/her designee shall issue a request for proposal/application, memorandum of understanding, or other agreement for institutions to implement summer bridge programs under this subsection. The focus of these programs shall include mathematics, science, and/or English language arts for the following categories of public high school students:

(A) Exiting 12th grade students, in the summer following their senior year, who have not met the minimum passing standards for college readiness as outlined under section 4.57 of this title (relating to Minimum Passing Standards) or who are not exempt from requirements of the Texas Success Initiative as outlined under section 4.54 of this title (relating to Exemptions/Exceptions); or

(B) 10th and 11th grade students, in the summer following their sophomore and junior year, respectively, who have not achieved the predicted score for college readiness on the Texas Assessment of Knowledge and Skills, or appropriate college readiness predictors or scores on other assessments of college readiness as determined by the commissioner.

(3) Other qualifications or requirements for student participation, public school eligibility, and institutional eligibility for implementing summer bridge programs shall be outlined in the request for proposal/application, memorandum of understanding, or other agreement.

(b) Developmental education initiatives. The purpose of this program is to provide incentive funding to institutions who commit to implementing research-based and/or innovative developmental education initiatives.

(1) Only institutions offering developmental education initiatives under Texas Education Code, Section 61.0762, shall be subject to this subsection.

(2) Each year for which state appropriations or other funding is available, the commissioner or his/her designee shall issue a request for proposal/application, memorandum of understanding, or other agreement for institutions to implement developmental education initiatives under this subsection. The focus of these programs shall include mathematics, science, and/or English language arts for students who have not met the minimum passing standards for college readiness as outlined under section 4.57 of this title (relating to Minimum Passing Standards) or who are not exempt from requirements of the Texas Success Initiative as outlined under section 4.54 of this title (relating to Exemptions/Exceptions).

(c) Financial aid for college readiness and college entrance assessments. The purpose of this program is to obtain early assessments of college readiness and preparation of high school students.

(1) Financial aid shall be provided for each eligible high school student on an annual basis as determined by the commissioner.

(2) Each year for which state appropriations or other funding is available, the commissioner or his/her designee shall determine the college readiness and college entrance assessments that will be funded under this subsection.

(d) Professional development for higher education faculty. The purpose of this program is to provide higher education faculty with professional development programs or activities on college readiness standards and the implications of these standards on instruction.

(1) Only institutions offering professional development for faculty outlined under Texas Education Code, Section 61.0762, shall be subject to this subsection.

(2) Each year for which state appropriations or other funding is available, the Commissioner or his/her designee shall issue a request for proposal/application, memorandum of understanding, or other agreement for institutions to implement activities or programs of professional development for faculty under this subsection. The focus of these programs shall be limited to faculty who have responsibilities for developmental education and entry-level courses and to the knowledge and skills, reflected in the college readiness standards, that faculty can reasonably expect students to have achieved who are entering those courses from public schools.

(3) Other qualifications or requirements for institutional eligibility for implementing faculty professional development activities and programs shall be outlined in the request for proposal/application, memorandum of understanding, or agreement.

(e) Other programs that support the participation and success goals of *Closing the Gaps by 2015*. Additional programs may be identified by the commissioner to address the participation and success goals of *Closing the Gaps by 2015*. As programs are identified,

qualifications and requirements for student participation and institutional or public school eligibility shall be determined by the commissioner or his/her designee.