TO: Chancellors, Presidents, Chief Academic Officers and Chief Instructional Officers of All Texas Public Institutions of Higher Education

FROM: MacGregor M. Stephenson

RE: Public Comment Period for Rules Regarding Review of Low-Producing Degree Programs

DATE: January 7, 2010

Background Information:
Earlier this academic year, new procedures for degree program approval were adopted. Along with these changes to streamline and simplify the approval process, we are developing a procedure for the periodic review of existing degree programs. The first step in this process has been the review of our policies and procedures concerning low-producing programs.

In August and September 2009, a joint sub-committee of members from the Undergraduate Education Advisory Committee (UEAC) and the Graduate Education Advisory Committee (GEAC) met with Coordinating Board staff to refine the current procedures for review of low-producing programs. The members—representing community colleges, universities and health-related institutions—researched comparable requirements in other states, and considered threshold recommendations, potential exemptions, and data collection timelines. Recommendations from this joint committee were sent to both the UEAC and the GEAC for comment and approval. From these recommendations, Coordinating Board staff developed the proposed new rules.

Proposed Rules:
On January 8, 2010, the proposed low-producing degree program rules will be posted to the *Texas Register* and become available for a 30-day public comment period. These proposed rules will be considered at the March 23, 2010 Strategic Planning and Policy Committee and April 29, 2010 Coordinating Board meetings in Austin, Texas.

The proposed rules (Chapter 4 Subchapter R §§ 4.285-4.293) establish procedures for the annual review of the number of graduates produced by degree programs at institutions of higher education to determine which are low-producing degree programs, and establish consequences for those programs that meet the definition of low-producing. Please note the proposed minimum requirements for the number of degrees awarded at the associate, baccalaureate, master's, and doctoral levels.

Publication Date in *Texas Register*:	January 8, 2010
30 Day Comment Period Begins:	January 8, 2010
30 Day Comment Period Ends:	February 8, 2010

We invite your feedback. Please address any public comments to MacGregor M. Stephenson, Assistant Commissioner of Academic Affairs and Research, at Macgregor.Stephenson@thecb.state.tx.us and to Lucy Bloor, Program Director, at Lucy.Bloor@thecb.state.tx.us. A copy of the proposed rules are attached to this email for your convenience.

Chapter 4 Rules Applying to All Public Institutions of Higher Education in Texas
Subchapter R Review of Low-Producing Degree Programs

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4.285 Purpose

This subchapter establishes rules regarding the periodic review of low-producing degree and certificate programs at public institutions of higher education.

4.286 Authority

Unless otherwise noted in a section, the authority for these provisions is provided by Texas Education Code, §61.051 which describes the Board's role in the Texas system of higher education.

4.287 Definitions

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

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

(2) Degree or certificate program--Any grouping of subject matter courses which, when satisfactorily completed by a student, will entitle the student to receive a degree or certificate from an institution of higher education.

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

(4) Low-Producing Degree Programs--degree programs that do not meet the following minimum standards for degrees awarded in the program:

(A) For associate and bachelor's programs, an average of five degrees awarded per academic year, to total not fewer than twenty-five degrees awarded for any five-year period;

(B) For master's programs, an average of three degrees awarded per academic year, to total not fewer than fifteen degrees awarded for any five-year period; and

(C) For doctoral and special professional degrees, an average of two degrees awarded per academic year, to total not fewer than ten degrees awarded for any five-year period.

(5) Permanent Exemption – Exemption for degree programs which removes them from the list of low-producing degree programs indefinitely.

(6) Temporary Exemption – Exemption for degree programs which removes them from the consequences of low-producing degree programs for a defined period of time.

(7) Related Degree Program – A degree program for which an institution may use common faculty and other resources.

4.288 Notification of Low-Producing Degree Programs

(a) Coordinating Board staff will send each institution an annual list of low-producing degree programs.

(b) The Board will alert an institution when a degree program has not met the minimum standards for three consecutive years. A second alert will follow if that degree program has not met the minimum standards for four consecutive years.

4.289 Exemptions

New programs or programs that are granted exemption will be noted on the annual list of low-producing programs, according to the following criteria:

(1) A new degree program is temporarily exempted for the first five years of program implementation. Annual review begins in the sixth year of implementation.

(2) A Master's degree program requiring only courses taught in the corresponding doctoral program is permanently exempted from low-producing status. These degrees are, in effect, terminal master's degrees available to students who are unable to meet doctoral requirements. No additional cost is associated with these degrees.

4.290 Consequences for Non-Exempt Low-Producing Degree Programs

Low-producing degree programs must be:

(1) Phased out or consolidated with another program or other programs; or

(2) Granted a temporary exemption.

4.291 Process for Requesting a Temporary Exemption

(a) A low-producing degree program is eligible for a temporary exemption if:

(1) The Coordinating Board staff determines the necessity for a temporary exemption because the institution demonstrates evidence that the low-producing degree program contributes to meeting *Closing the Gaps* initiatives or other Coordinating Board policies and institutional efforts are being made to increase enrollments, limit cost inefficiencies, and

improve program success. The period of time for the exemption will be established by Coordinating Board staff after discussions with the institution, or

(2) The degree is composed exclusively of courses required for other existing degrees at the institution and there is very limited or no additional cost associated with the degree.

(b) To request a temporary exemption provide the following information:

(1) A narrative that explains the causes of low production; and

(2) Justification for continuing the degree program. Justification should incorporate issues of need, quality, cost, and *Closing the Gaps* initiatives; and

(3) An action plan for the low-producing degree program. The action plan should include a detailed strategy for increasing enrollment, graduation output, and graduation rates. In accordance with the institution's Uniform Recruitment and Retention Strategy, the action plan should include specific strategies to recruit, retain, and graduate students from underrepresented groups for the program; and

(4) The following data on the degree program for the last two years:

(A) Number of declared majors

(B) Number of students per class section

(c) Coordinating Board staff will evaluate the application for a temporary exemption and approve or deny it. If approved, the exemption will be for a limited period of time determined by the staff after discussion with the institution.

4.292 Appeals Process

Institutions may appeal the staff's decision to phase out or consolidate a program. In order to do so, an institution must request an exemption from the Coordinating Board at a quarterly board meeting.

4.293 Reinstatement of Closed Programs

(a) A program that has been closed due to low productivity may not be considered for reinstatement until a minimum of ten years has passed.

(b) Programs eligible for reinstatement must complete the requirements for new academic program approval.

(c) Institutions may not start a new degree program that is a related degree program to one that has been closed due to low productivity without completing the *New Bachelor's or Master's Degree Program Form* or *Doctoral Program Request Form*.