

TEXAS HIGHER EDUCATION COORDINATING BOARD

P.O. Box 12788 Austin, Texas 78711

<u>MEMORANDUM</u>

Harold W. Hahn CHAIR

Robert W. Jenkins, Jr. VICE CHAIR

Dennis D. Golden, O.D. SECRETARY OF THE BOARD

Alice Schneider STUDENT REPRESENTATIVE

Durga D. Agrawal, Ph.D. Fred W. Heldenfels IV Christopher M. Huckabee Janelle Shepard David D. Teuscher, M.D.

Raymund A. Paredes COMMISSIONER OF HIGHER EDUCATION

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Web site: http://www.thecb.state.tx.us October 7, 2013

To: Coordinating Board Members & Interested Parties

From: Raymund A. Paredes

Subject: Coordinating Board Meeting

The agenda for the October 24, 2013, Coordinating Board meeting is attached. The meeting will be held in the Board Room at 1200 East Anderson Lane in Austin according to the schedule below. The agenda is organized according to committees. The times indicated for the start and conclusion of each section of the agenda are approximate and depend on the length of discussion for each item.

PUBLIC TESTIMONY: 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 Board after staff has presented the item, or any other time as determined by the presiding chair. For procedures on testifying please go to http://www.thecb.state.tx.us/public testimony.

Wednesday, October 23

2:00 p.m. <u>Agency Operations Committee</u>

Board Room 1.170

6:00 p.m. Dinner for Board Members with the Texas

Association of Community Colleges

DoubleTree Suites 303 West 15th Street Austin, TX 78701

Thursday, October 24 Coordinating Board Meeting

8:30 a.m. <u>Call to Order: Opening Remarks and</u>

<u>Announcements</u>

Agenda Item I

8:35 a.m. Approval of Minutes

Agenda Item II

8:40 a.m.	Approval of Consent Calendar for entire meeting Agenda Item III
8:45 a.m.	Major Policy Discussion Agenda Item IV
10:45 a.m.	Recognition of Excellence Agenda Item V
11:00 a.m.	<u>Invited Testimony</u> Agenda Item VI
11:30 a.m.	Matters relating to the Committee on Affordability, Accountability and Planning Agenda Item VII
12:00 p.m.	<u>Lunch</u> Agenda Item VIII
1:00 p.m.	Matters Relating to the Committee on Academic and Workforce Success Agenda Item IX
2:00 p.m.	Matters Relating to the Task Force on Community and Technical Colleges Agenda Item X
2:15 p.m.	Matters relating to the Agency Operations Committee Agenda Item XI
3:00 p.m.	Adjournment Agenda Item XII

TEXAS HIGHER EDUCATION COORDINATING BOARD A G E N D A

Regular Quarterly Meeting

1200 EAST ANDERSON LANE, ROOM 1.170 AUSTIN, TEXAS

8:30 A.M., Thursday, October 24, 2013

The Texas Higher Education Coordinating Board may convene in Executive Session for any of the following items:

- (1) to seek its attorney's advice about pending or contemplated litigation, including pending or contemplated administrative actions, pursuant to Texas Government Code Ann. 551.071(1)(A); or
- (2) to seek its attorney's advice about a settlement offer, pursuant to Texas Government Code Ann. 551.071(1) (B); or
- (3) at any point in this meeting, concerning any agenda item listed in the Agenda, to seek or to receive its attorney's advice on legal matters, pursuant to Texas Government Code Ann. 551.071(2), or
- (4) to consult with the Commissioner regarding personnel matters, pursuant to Texas Government Code Ann. 551.074 or
- (5) consultation with attorney regarding the issuance, refunding, and defeasance of the State of Texas College Student Loan Bonds and related issues pursuant to Section 551.071(2) Texas Government Code.

PUBLIC TESTIMONY: 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 Board after staff has presented the item, or any other time as determined by the presiding chair. For procedures on testifying please go to http://www.thecb.state.tx.us/public testimony.

I. Call to Order: Opening Remarks, Announcements and Appointments

A. Recognition of New Presidents and Chancellors in the audience

II. Approval of Minutes

A. July 25, 2013, Board Meeting

III. Approval of the Consent Calendar

IV. Major Policy Discussion

A. Coming Together for Students' Prosperous Futures – The Implications of House Bill 5, 83rd Texas Legislature

V. Recognition of Excellence

A. The Texas Puente Project, a winner in Gates Foundation competition for educational innovation

VI. Invited Testimony

A. What's The Value Of An Associate's Degree? The Return On Investment For Graduates And Taxpayers presentation by Jorge Klor de Alva of Nexus Research and Policy Institute

VII. Matters relating to the Committee on Affordability, Accountability and Planning

- A. Committee Chair's Overview
- Public testimony on items relating to the Committee on Affordability,
 Accountability and Planning
- C. Update on implementation of key legislation passed by the 83rd Texas Legislature, Regular Session
- D. Report on facilities projects that were submitted to the Coordinating Board
- E. Consideration of adopting the Committee's recommendation to the Board relating to approval of the Facilities Audit Report
- F. Presentation on the Preliminary Headcount for fall 2013
- G. Proposed rules:
 - 1. Consideration of adopting the Commissioner's recommendation to the Board relating to proposed amendments to Chapter 1, Subchapter A, General Provisions, Section 1.18 of Board rules concerning Rules Applying to Operations of Education Research Centers (H.B. 2103, 83rd Texas Legislature, Regular Session)
 - 2. Consideration of adopting the Committee's recommendation to the Board relating to amendments to Chapter 21, Subchapter J, Sections 21.251, 21.254, 21.256, 21.257, 21.258, 21.260, and 21.262 concerning the Physician Education Loan Repayment Program (PELRP) (H.B. 2550, 83rd Texas Legislature, Regular Session)
 - 3. Consideration of adopting the Committee's recommendation to the Board relating to amendments to Chapter 21, Subchapter M, Section 21.409 of Board rules concerning the Texas College Work-Study (TCWS) Program (S.B. 1, General Appropriations Act, Rider 22, page III-49, 83rd Texas Legislature, Regular Session)

- 4. Consideration of adopting the Committee's recommendation to the Board relating to Chapter 21, new Subchapter U, concerning the Nursing Faculty Loan Repayment Assistance Program (H.B. 2099, 83rd Texas Legislature, Regular Session)
- 5. Consideration of adopting the Committee's recommendation to the Board relating to amendments to Chapter 21, Subchapter SS, Sections 21.2263 and 21.2264 of Board rules, concerning the Waiver Programs for Certain Nonresident Persons
- 6. Consideration of adopting the Committee's recommendation to the Board relating to amendments to Chapter 21, Subchapter TT, Section 21.2273 of Board rules, concerning the Exemption Program for Dependent Children of Persons Who are Members of Armed Forces Deployed on Combat Duty
- 7. Consideration of adopting the Committee's recommendation to the Board relating to amendments to Chapter 22, Subchapter B, Sections 22.23, 22.25, and 22.30 of Board rules, concerning the Tuition Equalization Grant (TEG) Program (S.B. 976, S.B. 490, and S.B. 1 General Appropriations Act, Rider 22, page III-49, 83rd Texas Legislature, Regular Session)
- 8. Consideration of adopting the Committee's recommendation to the Board relating to amendments to Chapter 22, Subchapter D, Section 22.63 of Board rules, concerning the Provisions for the Texas Public Educational Grant Program (TPEG) (S.B. 1, General Appropriations Act, page III-237, 83rd Texas Legislature, Regular Session)
- 9. Consideration of adopting the Committee's recommendation to the Board relating to amendments to Chapter 22, Subchapter H, Section 22.144 of Board rules, concerning the Provisions for the License Plate Insignia Scholarship Program
- 10. Consideration of adopting the Committee's recommendation to the Board relating to amendments to Chapter 22, Subchapter M, Section 22.262 of Board rules, concerning the Texas Educational Opportunity Grant (TEOG) Program (S.B. 1 General Appropriations Act, Rider 22, page III-49, 83rd Texas Legislature, Regular Session)
- 11. Consideration of adopting the Committee's recommendation to the Board relating to amendments to Chapter 22, Subchapter P, Sections 22.305 and 22.306 of Board rules, concerning the Exemption Program for Clinical Preceptors and Their Children
- 12. Consideration of adopting the Committee's recommendation to the Board relating to amendments to Chapter 22, Subchapter T, Sections 22.518 and 22.521 of Board rules, concerning the Exemption for Firefighters Enrolled in Fire Science Courses (S.B. 220, 83rd Texas Legislature, Regular Session)

13. Consideration of adopting the Committee's recommendation to the Board relating to amendments to Chapter 22, Subchapter U, Sections 22.530 and 22.533 of Board rules, concerning the Exemption for Peace Officers Enrolled in Law Enforcement or Criminal Justice Courses (S.B. 220, 83rd Texas Legislature, Regular Session)

VIII. Lunch

IX. Matters relating to the Committee on Academic and Workforce Success

- A. Committee Chair's Overview
- B. Public testimony on items relating to the Committee on Academic and Workforce Success
- C. Presentation by Jobs for the Future on results of its research regarding the strategies that various states and higher education use to support students with ABE level skills
- D. Consideration of adopting the Committee's recommendation to the Board relating to a request from Texas Tech University Health Sciences Center for a Master of Public Health degree with a major in Public Health
- E. Consideration of adopting the Committee's recommendation to the Board relating to a request from Baptist Hospitals of Southeast Texas School of Radiologic Technology for a Certificate of Authority to grant degrees in Texas
- F. Consideration of adopting the Committee's recommendation to the Board regarding institutions' plans for closure and/or teach-outs pursuant to Chapter 7, Subchapter A, Section 7.7(5)
- G. Consideration of adopting the Committee's recommendation to the Board relating to issuance of a Request for Applications and the awarding of grants for the Minority Health Research and Education Grant Program
- H. Consideration of adopting the Committee's recommendation to the Board relating to issuance of a Request for Applications and the awarding of grants for the Nursing, Allied Health and Other Health-related Education Grant Program
- I. Consideration of adopting the Committee's recommendation to the Board to authorize the Commissioner of Higher Education to forward a report on the Resident Physician Expansion Grant Program to the Governor, Lieutenant Governor, Speaker of the House of Representatives, the Senate Health and Human Services Committee, the House Human Services Committee, and the Legislative Budget Board by January 1, 2014 (H.B. 2550, 83rd Texas Legislature, Regular Session)

- J. Consideration of adopting the staff recommendation to the Board relating to the Community College Transfer Student Report (S.B. 1, 83rd Texas Legislature, Regular Session)
- K. Proposed rules adopted as emergency rules at the July 2013 Board meeting:
 - 1. Consideration of adopting the Committee's recommendation to the Board relating to amendments to Chapter 1, Agency Administration, Subchapter E, Student Complaint Procedures, Sections 1.110 and 1.111 of Board rules, concerning student complaint procedures (H.B. 2000, 83rd Texas Legislature, Regular Session)
 - 2. Consideration of adopting the Committee's recommendation to the Board relating to amendments to Chapter 4, Rules Applying to All Public Institutions of Higher Education in Texas, Subchapter D, Dual Credit Partnerships Between Secondary Schools and Texas Public Colleges, Sections 4.82 and 4.85 of Board rules, concerning dual credit requirements (H.B. 5 and S.B. 31, 83rd Texas Legislature, Regular Session)
 - 3. Consideration of adopting the Committee's recommendation to the Board relating to amendments to Chapter 4, Rules Applying to All Public Institutions of Higher Education in Texas, Subchapter L, Financial Literacy Training, Section 4.211 and the Repeal of Section 4.213 of Board rules, concerning financial literacy training offered by general academic institutions (S.B. 1590, 83rd Texas Legislature, Regular Session)
 - 4. Consideration of adopting the Committee's recommendation to the Board relating to amendments to Chapter 4, Rules Applying to All Public Institutions of Higher Education in Texas, Subchapter R, Review of Low-Producing Degree Programs, Sections 4.286, 4.287, 4.290, and the Repeal of Sections 4.291, 4.292, 4.293 of Board rules, concerning the review of low-producing degree programs (S.B. 215, 83rd Texas Legislature, Regular Session)
 - 5. Consideration of adopting the Committee's recommendation to the Board relating to amendments to Chapter 5, Rules Applying to Public Universities, Health-Related Institutions, and/or Selected Public Colleges of Higher Education in Texas, Subchapter B, Role and Mission, Tables of Programs, Course Inventories, Sections 5.21 5.25 of Board rules, concerning role and mission statements, tables of programs, and course inventories (S.B. 215, 83rd Texas Legislature, Regular Session)
 - 6. Consideration of adopting the Commissioner's recommendation to the Board relating to amendments to Chapter 5, Rules Applying to Public Universities, Health-Related Institutions, and/or Selected Public Colleges of Higher Education in Texas, Subchapter C, Approval of New Academic Programs and Administrative Changes at Public Universities, Health-

Related Institutions, and Review of Existing Degree Programs, Sections 5.42, 5.44 - 5.46, 5.54, 5.55, the repeal of Section 5.49, and the addition of new Section 5.56 of Board rules, concerning the approval procedures and criteria for programs (S.B. 215, 83rd Texas Legislature, Regular Session)

- 7. Consideration of adopting the Committee's recommendation to the Board relating to new Chapter 6, Health Education, Training, and Research Funds, Subchapter F, Planning Grants for Graduate Medical Education, Sections 6.105 6.110 of Board rules, concerning the award of planning grants for graduate medical education (H.B. 1025 and H.B. 2550, 83rd Texas Legislature, Regular Session)
- 8. Consideration of adopting the Committee's recommendation to the Board relating to new Chapter 6, Health Education, Training, and Research Funds, Subchapter G, Unfilled Position Grants for Graduate Medical Education, Sections 6.120 6.125 of Board rules, concerning the award of unfilled position grants for graduate medical education (H.B. 1025 and H.B. 2550, 83rd Texas Legislature, Regular Session)
- 9. Consideration of adopting the Committee's recommendation to the Board relating to new Chapter 6, Health Education, Training, and Research Funds, Subchapter H, Grants for New and Expanded Programs for Graduate Medical Education, Sections 6.135 6.140 of Board rules, concerning awards under grants for new and expanded programs for graduate medical education (H.B. 1025 and H.B. 2550, 83rd Texas Legislature, Regular Session)
- 10. Consideration of adopting the Commissioner's recommendation to the Board relating to amendments to Chapter 7, Degree Granting Colleges and Universities Other Than Texas Public Institutions, Subchapter A, General Provisions, Sections 7.3 and 7.8 of Board rules, concerning Degree Granting Colleges and Universities Other Than Texas Public Institutions (*S.B. 215, 83rd Texas Legislature, Regular Session*)
- 11. Consideration of adopting the Committee's recommendation to the Board relating to amendments to Chapter 13, Financial Planning, Subchapter G, Research Development Fund, Sections 13.122 and 13.126 of Board rules, concerning eligibility of Prairie View A&M University to participate in the Research Development Fund and the handling of expenditures from pass-through awards (H.B. 870, 83rd Texas Legislature, Regular Session)
- 12. Consideration of adopting the Committee's recommendation to the Board relating to amendments to Chapter 21, Student Services, Subchapter T, The Vaccination against Bacterial Meningitis for Entering Students at Public and Private or Independent Institutions of Higher Education, Sections 21.611, 21.612, and 21.614 of Board rules, concerning the

requirement for entering students under the age of 22 (S.B. 62, 83rd Texas Legislature, Regular Session)

L. Proposed rule changes:

- 1. Consideration of adopting the Committee's recommendation to the Board relating to amendments to Chapter 4, Rules Applying to All Public Institutions of Higher Education in Texas, Subchapter G, Early College High Schools, Sections 4.153 and 4.159 of Board rules, concerning definition of the early college high school program and its evaluation and accountability (H.B. 5, 83rd Texas Legislature, Regular Session)
- Consideration of adopting the Committee's recommendation to the Board relating to amendments to 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, Section 4.256, and Subchapter Q, Approval of Off-Campus and Self-Supporting Courses and Programs for Public Institutions, Section 4.271 of Board rules, concerning authority (S.B. 215, 83rd Texas Legislature, Regular Session)
- 3. Consideration of adopting the Commissioner's recommendation to the Board relating to amendments to Chapter 5, Rules Applying to Public Universities, Health-Related Institutions, and/or Selected Public Colleges of Higher Education in Texas, Subchapter A, General Provisions, Section 5.5 of Board rules, concerning Uniform Admission Policy (H.B. 5 and H.B. 1843, 83rd Texas Legislature, Regular Session)
- 4. Consideration of adopting the Committee's recommendation to the Board relating to amendments to Chapter 9, Program Development in Two-Year Public Colleges, Subchapter A, Definitions, Section 9.1 and Subchapter E, Certificate and Associate Degree Programs, Sections 9.92 and 9.93 of Board rules, concerning the number of semester credit hours required to earn an associate degree at public institutions of higher education (S.B. 215, 83rd Texas Legislature, Regular Session)
- 5. Consideration of adopting the Committee's recommendation to the Board relating to amendments to Chapter 14, Research Funding Programs, Subchapter A, General Provisions, Sections 14.1 and 14.2, Subchapter C, Advanced Technology Program, Section 14.31, and Subchapter E, Sections 14.71, 14.72, 14.73, 14.76, 14.77, and 14.78 of Board rules, concerning the administration of the Norman Hackerman Advanced Research Program and the Advanced Technology Program (S.B. 215, 83rd Texas Legislature, Regular Session)
- 6. Consideration of adopting the Committee's recommendation to the Board relating to clarification of amendments to Chapter 4, Rules Applying to All Public Institutions of Higher Education in Texas, Subchapter C,

concerning the Texas Success Initiative to reflect developmental education reform efforts, approved by the Coordinating Board in July 2013

- M. Consideration of adopting the Certification Advisory Council's recommendation to the Board relating to a request from Southwest School of Art for a Certificate of Authority to grant degrees in Texas
- N. Report on the FY 2008-2012 Annual Report of Low-Producing Programs Review
- O. Report on proposals approved by the Commissioner or Assistant Commissioner since the previous Board meeting

X. Matters relating to the Task Force on Community and Technical Colleges

A. Task Force Chair's Overview

XI. Matters relating to the Agency Operations Committee

- A. Committee Chair's Overview
- B. Public testimony on items relating to the Agency Operations Committee
- C. Consideration of adopting the Committee's recommendation to the Board to adopt the proposed Agency Operations Committee Charter
- D. Discussion and Consideration of adopting the Committee's recommendation to the Board of Course of Action Regarding External Auditors for Agency-Wide Financials
- E. Consideration of adopting the Committee's recommendation to the Board relating to new rules to Chapter 1, Agency Administration: new Subchapter F, Sections 1.121-1.26, Advisory Committee on Research Programs; new Subchapter G, Sections 1.128-1.134, Apply Texas Advisory Committee; new Subchapter H, Sections 1.135-1.141, Certification Advisory Council; new Subchapter I, Sections 1.142-1.148, Family Practice Residency Advisory Committee; new Subchapter J, Sections 1.149-1.155, Financial Aid Advisory Committee; new Subchapter K, Sections 1.156-1.163, Formula Advisory Committee - Community and Technical Colleges; new Subchapter L, Sections 1.164-1.170, Formula Advisory Committee – General Academic Institutions; new Subchapter M, Sections 1.171-1.177, Formula Advisory Committee – Health-Related Institutions; new Subchapter N, Sections 1.178-1.184, Graduate Education Advisory Committee; new Subchapter O, Sections 1.185-1.191, Learning Technology Advisory Committee; new Subchapter P, Sections 1.192-1.198, Lower-Division Academic Course Guide Manual Advisory Committee; new Subchapter R, Sections 1.206-1.212, Undergraduate Education Advisory Committee (S.B. 215, 83rd Legislature, Regular Session)

- F. Consideration of adopting the Committee's recommendation to the Board relating to amendments to: Chapter 4, Subchapter A, Section 4.11(a), Common Admission Application (Apply Texas) Advisory Committee; amendments to Chapter 6, Subchapter A, Sections 6.5 and 6.6, Family Practice Residency Advisory Committee; amendments to Chapter 9, Subchapter D, Section 9.73(b), Lower-Division Academic Course Guide Manual Advisory Committee; and repeal of Chapter 13, Subchapter B, Sections 13.22-13.24, Formula Advisory Committees (S.B. 215, 83rd Legislature, Regular Session)
- G. Consideration of adopting the Committee's recommendation to the Board relating to the appointment of individuals to serve on the ApplyTexas Advisory Committee for a term of two years
- Consideration of adopting the Committee's recommendation to the Board relating to the appointment of members to the Learning Technology Advisory Committee (LTAC)
- I. Consideration of adopting the Committee's recommendation to the Board relating to the appointment of members to the Lower-Division Academic Course Guide Manual (ACGM) Advisory Committee
- J. Consideration of adopting the Committee's recommendation to the Board relating to the appointment of members to the Undergraduate Education Advisory Committee (UEAC)
- K. Consideration of adopting the Committee's recommendation to the Board relating to a proposed amendment to Chapter 1, Agency Administration, Subchapter A, General Provisions, Section 1.14 of Board rules concerning Negotiated Rulemaking

XII. Adjournment