

PROPOSED RULES AMENDMENT PREAMBLE

Brief explanation of proposed rule amendment

The Texas Higher Education Coordinating Board (Coordinating Board) proposes amendments to Chapter 4, Rules Applying to All Public Institutions of Higher Education in Texas, Subchapter A, General Provisions, Section 4.5 of Board rules concerning the common calendar.

The intent of the amendments is to reduce the amount of time spent by public institutions and Board staff in submitting, reviewing, and approving requests for waivers to the common calendar. These amendments would allow public institutions to begin their spring, fall, and first summer terms within seven days of the common calendar date without needing to request a waiver.

Fiscal note and estimated cost to state and local government (or estimated reduction in costs to state and local government, and/or estimated loss of increase in revenue to state and local government)

Dr. Stacey Silverman, Acting Assistant Commissioner for Workforce, Academic Affairs and Research, has determined that for the first five years there will be no fiscal implications for state or local governments as a result of amending the rule listed above.

Public benefit and local employment impact

Dr. Silverman has also determined that for the first five years the amendments are in effect, the public benefits anticipated as a result of administering the sections will be to reduce the amount of time spent by public institutions and Board staff in submitting, reviewing, and approving requests for waivers to the common calendar. There is no effect on small businesses. There are no anticipated economic costs to persons who are required to comply with the section as proposed. There is no impact on local employment.

Request for comments

Comments on the proposed amendments may be submitted by mail to Stacey Silverman, Acting Assistant Commissioner, Texas Higher Education Coordinating Board, P.O. Box 12788, Austin, Texas, 78711 or via email at WAARcomments@thehb.state.tx.us. Comments will be accepted for 30 days following publication of the proposal in the Texas Register.

Statutory basis for amendment

The amendments are proposed under the Texas Education Code, Chapter 61, Subchapter C, Section 61.051(g), which requires the Coordinating Board to promote quality in higher education and to provide the administrative structure necessary for the free transfer of credits, and Texas Education Code, Chapter 61, Subchapter B, Section 61.027, which provides the Coordinating Board with general rule making authority to effectuate the provisions of Chapter 61.

Statutes, articles, codes affected by the proposed action

The amendments affect the Texas Education Code, Section 61.051.

Chapter 4, Rules Applying to All Public Institutions of Higher Education in Texas
Subchapter A, General Provisions

- 4.1 Purpose
- 4.2 Authority
- 4.3 Definitions
- 4.4 Student Absences on Religious Holy Days
- 4.5 Common Calendar
- 4.6 Minimum Length of Courses and Limitation on the Amount of Credit that a Student May Earn in a Given Time Period
- 4.7 Student Transcripts
- 4.8 Expert Witnesses
- 4.9 Excused Absence for a Person Called to Active Military Service
- 4.10 Limitations on the Number of Courses That May Be Dropped under Certain Circumstances by Undergraduate Students
- 4.11 Common Admission Application Forms

4.1 – 4.4 (No change.)

4.5 Common Calendar

(a) The Commissioner shall establish and periodically update a common calendar for Texas public universities and community, technical and state colleges.

(b) The Commissioner may grant waivers to the common calendar to benefit students and/or to improve the efficient operations of the institutions. A public university or community, technical, or state college that begins its fall and spring semesters and its first summer term within 7 days of the date set by the common calendar is in compliance with the common calendar and does not require a waiver.

(c) A semester normally shall include 15 weeks for instruction and one week for final examinations or a total of 16 weeks instruction and examinations combined. Every fall semester will end before Christmas, but not later than December 23.

(d) The summer session shall be considered an integral part of the college year and maximum use should be made of the summer session. Each of the two summer terms shall include no less than 5 1/2 calendar weeks, including registration, instructions, and final examinations. Colleges may register students for a six semester credit hour load for each 5 1/2-week summer term. Colleges and universities may schedule summer terms longer or shorter than 5 1/2 weeks, but the amount of credit students are allowed to enroll for must be proportional.

(e) Each college and university shall establish its own dates for orientation, registration, holidays, final examinations, and the end of each semester and summer term consistent with subsections (c) and (d) of this section.

(f) The Texas Education Agency shall be notified of the calendar adopted and be encouraged to communicate with the Board about possible further coordination of school and college calendar.

(g) Nothing in this section shall be interpreted to preclude experimentation and innovation by any institution looking toward full utilization of facilities on a year-round basis.