PROPOSED RULES AMENDMENT PREAMBLE

Brief explanation of proposed rule amendment
The Texas Higher Education Coordinating Board proposes the repeal of Chapter 5, Subchapter C, Section 5.47 of Board rules concerning Criteria for administrative change requests.

The intent of the repeal is to reduce the amount of time spent by public institutions and Board staff in submitting, reviewing, and approving requests for changes to administrative units at public universities and health-related institutions.

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, Interim 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 changes to administrative units at public universities and health-related institutions. The benefits of administering the sections would also include better coordination and efficiency of delivery between public institutions offering similar degree and certificate programs. 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, Interim Assistant Commissioner, Texas Higher Education Coordinating Board, P.O. Box 12788, Austin, Texas, 78711 or via email at WAARcomments@thecb.state.tx.us. Comments will be accepted for 30 days following publication of the proposal in the Texas Register.

Statutory basis for amendment
The amendment is proposed under the Texas Education Code, Chapter 61, Subchapter C, Sec. 61.051(e), which states that no new department, school, degree program, or certificate program may be added at any public institution of higher education except with specific prior approval of the board.

Statutes, articles, codes affected by the proposed action
The amendments affect the Texas Education Code, Section 61.051(e).

The Coordinating Board certifies that the proposed rules have been reviewed by legal counsel and found to be within the agency's authority to adopt.

Texas Higher Education Coordinating Board

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

5.41 Purpose
5.42 Authority
5.43 Definitions
5.44 Presentations of Requests and Steps for Implementation
5.45 Criteria for New Baccalaureate and Master's Degree Programs
5.46 Criteria for New Doctoral Programs
[~~5.47 Criteria for Administrative Change Requests~~]
5.48 Criteria for Certificate Programs at Universities and Health-Related Institutions
5.49 Certification of Adequacy of Financing for New Academic Programs and Administrative Changes
5.50 Approvals by the Commissioner
5.51 Publishing of Doctoral Program Data
5.52 Review of Existing Degree Programs
5.53 Annual Evaluation of New Doctoral Degree Programs
5.54 Noncompliance with Conditions of Approval for New Doctoral Degree Programs
5.55 Revisions to Approved Programs

[~~5.47 Criteria for Administrative Change Requests~~

~~(a) The administrative overhead of universities and health-related institutions should be kept low to insure that most of the funds appropriated for higher education go toward the costs of instruction.~~

~~(b) The administrative costs of new academic units, particularly colleges and schools, should not be so high as to detract from the quality of the programs the administrative unit contains.~~]