

PROPOSED RULES AMENDMENT PREAMBLE

Brief explanation of proposed rule amendment

The Texas Higher Education Coordinating Board proposes an amendment to Chapter 5, Rules Applying to Public Universities, Health-Related Institutions, and/or Selected Public Colleges of Higher Education in Texas, Subchapter B, Section 5.24 of Board rules concerning Criteria and Approval of Mission Statements and Tables of Programs.

The intent of the amendment is to bring consistency across the Coordinating Board rules for the standards applying to new doctoral programs. In particular, the amendment would specify the undergraduate success measure that an institution must meet in order to satisfy 5.24(b)(5) and to be in line with 5.46 of Coordinating Board rules adopted in January 2011. The Coordinating Board approved changes to Chapter 5, Subchapter C, Section 5.46, adding an additional criterion for the approval of new doctoral degree programs. Section 5.46 stipulates that the most recent six-year baccalaureate degree graduation rate of the institution proposing a new doctoral program must equal or exceed the most recent statewide six-year baccalaureate degree graduation rate. The statewide six-year graduation rate is calculated by determining the number of first-time, full-time undergraduate students at public universities, excluding those enrolled at The University of Texas at Austin and Texas A&M University, and calculating the percentage of those students who graduated in six years from the same or another institution in Texas.

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)

MacGregor M. Stephenson, Assistant Commissioner for 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. Stephenson 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 ensure that preliminary authority requests to offer doctoral degrees are only granted to institutions that already meet the standard for having those programs fully approved. The rule will ensure that institutions seeking new programs are providing sufficient support to existing undergraduate 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 MacGregor M. Stephenson, Assistant Commissioner, Texas Higher Education Coordinating Board, P.O. Box 12788, Austin, Texas, 78711 or via email at WAARcomments@theccb.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 provides the Coordinating Board with the authority to approve new degree programs at public postsecondary institutions operating in Texas.

Statutes, articles, codes affected by the proposed action

The amendments affect the Texas Education Code, Chapter 61, Subchapter C.

Certification of Review by Legal Counsel

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.

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

- 5.21 Purpose
- 5.22 Authority
- 5.23 Definitions
- 5.24 Criteria and Approval of Mission Statements and Tables of Programs
- 5.25 Course Approvals at Public Universities

5.21-5.23 No changes.

5.24 Criteria and Approval of Mission Statements and Tables of Programs

(a) No change.

(b) In reviewing a request for preliminary authority to add a doctoral program to the institution's Table of Programs, the Commissioner shall consider the criteria set out in subsection (a) of this section and the following additional criteria:

(1) a demonstrated regional, state, or national unmet need for doctoral graduates in the field, or an unmet need for a doctoral program with a unique approach to the field;

(2) evidence that existing doctoral programs in the state cannot accommodate additional students (or accessibility to these programs is restricted), or that expanding existing programs is not feasible or would not best serve the state;

(3) if appropriate to the discipline, the institution has self-sustaining baccalaureate- and master's-level programs in the field and/or programs in related and supporting areas;

(4) the program has the potential to obtain state or national prominence and the institution has the demonstrable capacity, or is uniquely suited, to offer the program and achieve that targeted prominence;

(5) demonstrated current excellence of the institution's existing undergraduate and graduate degree programs and how this excellence shall be maintained with the development and addition of a high quality doctoral program; measures of excellence include the number of graduates and six-year baccalaureate graduation rates which should equal or exceed the most recent annual statewide average six-year baccalaureate graduation rate as defined in Chapter 5, Subchapter C, §5.46(15)~~that match or exceed those at peer institutions;~~

(6) satisfactory placement rates for graduates of the institution's current doctoral programs, with comparison to peer group placement rates when available;

(7) how the program will address Closing The Gaps by 2015;

(8) institutional resources to develop and sustain a high-quality program; and

(9) where appropriate, a demonstration of plans for external accreditation, licensing, or other applicable professional recognition of the program.

(c) No changes.

5.25 No changes.