

TEXAS HIGHER EDUCATION COORDINATING BOARD  
NOTICE OF INTENT TO ENGAGE IN NEGOTIATED RULEMAKING—OPEN EDUCATIONAL RESOURCES GRANT PROGRAM  
(Texas Public Universities, Community Colleges, Lamar State Colleges, and Texas State Technical Colleges)

Senate Bill 810, 85th Texas Legislature, Regular Session, relating in part to the use of open educational resources, amends Texas Education Code Chapter 61, Subchapter C, by adding Section 61.0668, Open Educational Resources Grant Program. The Texas Higher Education Coordinating Board (“THECB” or “Board”) intends to engage in negotiated rulemaking to develop rules for the Open Educational Resources Grant Program allocation methodology for public universities, community colleges, Lamar State Colleges, and Texas State Technical Colleges and to develop procedures for THECB staff to verify the accuracy of the application of that allocation methodology. This is in accordance with the provisions of Texas Education Code 61.0331.

In identifying persons likely affected by the proposed rules, the Convener of Negotiated Rulemaking sent a memo via email to all chancellors and presidents at Texas public universities, community colleges, Lamar State Colleges, and Texas State Technical Colleges soliciting their interest and willingness to participate in the negotiated rulemaking process, or to nominate a representative from their campus.

From this effort, 21 individuals responded (out of approximately 149 affected entities) and expressed an interest to participate or nominated someone from their institution to participate on the negotiated rulemaking committee for Open Educational Resources Grant Program. The positions held by the volunteers and nominees include coordinators, team leaders, deans, directors, and professors. This indicates a probable willingness and authority of the affected interests to negotiate in good faith and a reasonable probability that a negotiated rulemaking process can result in a unanimous or, if the committee so chooses, a suitable general consensus on the proposed rule.

The following is a list of the stakeholders who are significantly affected by this rule and will be represented on the negotiated rulemaking committee for Open Educational Resources Grant Program:

1. Public Universities;
2. Public Community Colleges;
3. Lamar State Colleges;
4. Texas State Technical Colleges; and
5. Texas Higher Education Coordinating Board.

The THECB proposes to appoint the following 13 individuals to the negotiating rulemaking committee for Open Educational Resources Grant Program to represent affected parties and the agency:

Public Universities

Thomas Halling, Associate Professor, University Libraries, Texas A&M University  
Demetrios Kazakos, Ex-Dean, Professor of Mathematics, Texas Southern University  
Justin Louder, Associate Vice Provost, World Wide eLearning, Texas Tech University  
Kris Helge, Assistant Dean, Libraries, Texas Woman's University  
Ashley Purgason, Assistant Vice President, Strategic Initiatives, The University of Texas at Arlington  
Owen Ellard, Senior Director, Libraries, The University of Texas Health Science Center at San Antonio

Public Community Colleges

Phillip Anaya, Digital and Open Education Resource Coordinator, Alamo Colleges  
Carrie Gits, HLC Librarian and Open Educational Resources Team Leader, Austin Community College  
Julie Penley, Interim Vice President, Research and Accountability; Associate Vice President, Instruction and Student Services, El Paso Community College  
Jotisa Klemm, Director, Library Services (Southeast Campus), Tarrant County College District  
Karla Bryan, Director, Learning Resource Centers, Trinity Valley Community College

Texas State Technical Colleges

Kyle Smith, Associate Vice Chancellor for Dual Enrollment and Innovation, Texas State Technical College

Texas Higher Education Coordinating Board

Rex Peebles, Assistant Commissioner, Academic Quality and Workforce

Meetings will be open to the public. If there are persons who are significantly affected by these proposed rules and are not represented by the persons named above, those persons may apply to the agency for membership on the negotiated rulemaking committee or nominate another person to represent their interests. Application for membership must be made in writing and include the following information:

- \*Name and contact information of the person submitting the application;
- \*Description of how the persons are significantly affected by the rule and how their interests are different than those represented by the persons named above;
- \*Name and contact information of the person being nominated for membership; and
- \*Description of the qualifications of the nominee to represent the person's interests.

The THECB requests comments on the Notice of Intent to engage in negotiated rulemaking and on the membership of the negotiated rulemaking committee for Open Educational Resources Grant Program. Comments and applications for membership on the committee must be submitted by September 18, 2017 to: Laurie A. Frederick, Convener, Negotiated Rulemaking, Texas Higher Education Coordinating Board, P.O. Box 12788, Austin, TX 78711, Fax: (512) 427-6127, Email: [laurie.frederick@theccb.state.tx.us](mailto:laurie.frederick@theccb.state.tx.us).

TRD-201703421  
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Texas Higher Education Coordinating Board  
Filed: August 30, 2017