

Texas Administrative Code

TITLE 19

EDUCATION

PART 1

TEXAS HIGHER EDUCATION COORDINATING BOARD

CHAPTER 9

PROGRAM DEVELOPMENT IN PUBLIC TWO-YEAR COLLEGES

SUBCHAPTER E

CERTIFICATE AND ASSOCIATE DEGREE PROGRAMS

RULE §9.93

Presentation of Requests and Steps for Implementation of New Degree and Certificate Programs in Career Technical/Workforce Education

(a) Requests for new associate degree and certificate programs shall be made in accordance with the procedures stipulated in subsection (b) of this section.

(1) Public two-year colleges shall request new associate degree and certificate programs using the appropriate degree program request form.

(2) Public two-year colleges must submit documentation sufficient to establish that the new program meets all of the criteria listed in subsection (b) of this section. Board staff will review all requests for new programs within five business days of receipt. If Board staff determines that the request is incomplete and additional information or documentation is needed, the institution must respond with all of the requested information or documentation within ten working days or the request will be returned to the institution. An institution may resubmit a request that was incomplete as soon as it has obtained the requested information or documentation.

(b) New associate degree and certificate programs shall be approved if all of the following conditions are met, provided that the number of semester credit hours required to complete a proposed associate degree program does not exceed 60 semester credit hours (SCH).

(1) The institution shall certify that:

(A) The program has institutional and governing board approval;

(B) The institution has researched and documented current job market need for the program and/or that the program would lead to opportunities for further education;

(C) There is recent evidence of both short-term and long-term student demand for the program;

(D) Enrollment projections reflect student demand estimates to ensure the financial self-sufficiency of the program;

(E) Basic and career technical/workforce skills have been integrated into the curriculum;

(F) The institution has an enrollment management plan for the program;

(G) The institution has or will initiate a process to establish articulation agreements for the program with secondary and/or senior level institutions;

(H) The program is designed to be consistent with the standards of the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), and with the standards of other applicable accrediting agencies, and is in compliance with appropriate licensing authority requirements;

(I) The program would not unnecessarily duplicate existing programs at other institutions;

(J) Representatives from private sector business and industry have been involved in the creation of the program through participation in an advisory committee;

(K) Adequate funding is available to cover all new costs to the institution over the first five years after the implementation of the program;

(L) New costs during the first five years of the program would not exceed \$2 million;

(M) The institution has an improvement plan in place for all career technical/workforce programs that do not currently meet Board standards for both graduation and placement;

(N) The appropriate Higher Education Regional Council has been notified in writing of the proposal for a new program, and no unresolved objections to the program have been reported; and

(O) Skill standards recognized by the Texas Skill Standards Board, if they exist for the discipline, have been reviewed and considered for inclusion in the curriculum for the program.

(2) If a proposed two-year career technical/workforce education program or a certificate program meets the conditions stipulated in this subsection, the institution shall submit a request to the Assistant Commissioner for Workforce, Academic Affairs and Research to add the program. If a proposed program does not meet the conditions stipulated in this subsection, the institution must submit a proposal using the standard electronic new program application process.

(3) If the number of SCH required to complete a proposed associate's program exceeds 60, the institution must provide detailed written documentation describing the compelling academic reason for the number of required hours, such as programmatic accreditation requirements, statutory requirements, or licensure/certification requirements that cannot be met without exceeding the 60-hour limit. The Coordinating Board will review the documentation provided and make a determination to approve or deny a request to exceed the 60-hour limit. Institutions of higher education must be in compliance with this paragraph on or before the 2015 fall semester.

(4) The institution proposing the program shall notify all public institutions within 50 miles of the teaching site of their intention to offer the program at least 30 days prior to submitting their request to the Coordinating Board. If no objections are received, the Coordinating Board staff shall update the institution's program inventory accordingly. If objections occur, the proposed program shall not be implemented until all objections are resolved. If the proposing institution cannot resolve the objection(s), the proposing institution may request the assistance of the Assistant Commissioner of Workforce, Academic Affairs and Research to mediate the objections and determine whether the proposing institution may implement the proposed program.

(5) If objections to the proposed program are received by the Coordinating Board staff, the proposed program shall not be implemented until all objections are resolved.

(c) New Program Approval. The Board delegates to the Commissioner final approval authority for all certificate programs, and for applied associate degree programs that meet Board policies for approval as outlined in the Guidelines for Instructional Programs in Workforce Education. The Commissioner may delegate this final authority to the Assistant Commissioner for Workforce, Academic Affairs and Research.

(d) Each quarter, the Commissioner shall prepare a list of the approvals and disapprovals under this section for Board members. The list of the approvals and disapprovals shall also be attached to the minutes of the next appropriate quarterly meeting.

(e) The Commissioner shall forward a program to the Board for consideration at an appropriate quarterly meeting if either of the following conditions is met:

(1) The proposed program is the subject of an unresolved grievance or dispute between institutions;
or

(2) The Commissioner has disapproved the proposed program and the institution has requested a Board review.

(f) Revision of an existing associate degree or certificate program shall be approved if all of the requirements in subsection (b) of this section are met.

(g) To request a change of CIP code for an existing degree or certificate program, the institution shall notify the Coordinating Board staff and certify that the revised program meets the requirements in subsection (b) of this section.

(h) If the revision of an existing degree or certificate program meets the conditions stipulated in subsection (b) of this section the institution shall submit a request to the Assistant Commissioner for Workforce, Academic Affairs and Research to revise the program. The Coordinating Board staff shall update the institution's program inventory accordingly.

(i) If a program revision does not meet the conditions stipulated in subsection (b) of this section, the institution shall submit a revision request using the standard electronic program revision request process.

(j) Administrative Officers. All programs must be under the direction of an administrator having appropriate authority to ensure that quality is maintained and that programs are conducted in compliance with all applicable laws and rules. Administrative officers must possess credentials, work experience, and/or demonstrated competence appropriate to their areas of responsibility as specified by the SACSCOC.

(k) Faculty and Staff. Faculty and staff must be approved by the postsecondary institution.

(l) Each public two-year college may classify career technical/workforce continuing education and other courses as earning SCH or continuing education units (CEUs). Contact hours reported for career technical/workforce education courses which result in either SCH or CEUs shall be eligible for state appropriations. A course or program that meets or exceeds 360 hours in length must be approved as a career technical/workforce certificate program except by special justification and approval by Board staff. A course or program that meets or exceeds 780 hours in length must result in the award of appropriate semester credit hours and be applicable to a certificate and an applied associate degree program.

(m) The Coordinating Board reserves the right to audit a certificate or degree program at any time to ensure compliance with any of the requirements in this subchapter.

Source Note: The provisions of this §9.93 adopted to be effective May 25, 2004, 29 TexReg 5068; amended to be effective May 12, 2005, 30 TexReg 2663; amended to be effective November 25, 2009, 34 TexReg 8323; amended to be effective February 26, 2013, 38 TexReg 1161; amended to be effective November 24, 2013, 38 TexReg 8440; amended to be effective September 4, 2014, 39 TexReg 6846

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