

## **Chapter 5. Rules Applying to Public Universities and/or Health-Related Institutions of Higher Education in Texas**

### **Subchapter C. Approval of New Academic Programs and Administrative Changes at Public Universities and/or Health-Related Institutions**

Please note that The Texas Higher Education Coordinating Board makes every effort to ensure that the information published on this Internet site is secure and accurate; however, due to the limitations of Internet security, the rules published here are for information only, and do not represent legal documentation.

---

#### **§5.41 Purpose**

The purpose of this subchapter is to describe the criteria and approval processes for degree and certificate programs and for administrative changes involving academic units. Criteria in §5.45 of this title (relating to Criteria for New Baccalaureate and Master's Degree Programs) apply to selected public colleges.

**Source Note:** *The provisions of this §5.41 adopted to be effective May 28, 2003, 28 TexReg 4125; amended to be effective November 28, 2007, 32 TexReg 8490*

---

#### **§5.42 Authority**

Texas Education Code, §61.051(e) provides 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. Texas Education Code, §61.055 requires a written certification of adequate financing be made before the Board approves any new department, school, or degree or certificate program. Texas Education Code, §130.0012 applies to selected public colleges.

**Source Note:** *The provisions of this §5.42 adopted to be effective May 28, 2003, 28 TexReg 4125; amended to be effective November 28, 2007, 32 TexReg 8490*

---

### **§5.45 Criteria for New Baccalaureate and Master's Degree Programs**

New baccalaureate and master's degree programs must meet all of the following criteria:

(1) Role and mission. The program must be within the existing role and mission of the institution as indicated by its table of programs or the Board must make the determination that the program is appropriate for the mission of the institution.

(2) Unnecessary duplication. The program must not unnecessarily duplicate a program at another institution serving the same regional population. The offering of basic liberal arts and sciences courses and degree programs in public senior institutions is not considered unnecessary duplication.

(3) Faculty resources.

(A) Faculty resources must be adequate to provide high program quality. With few exceptions, the master's degree should be the minimum educational attainment for faculty teaching in baccalaureate programs. In most disciplines, the doctorate should be the minimum educational attainment for faculty teaching in graduate programs. Faculty should meet the qualitative and quantitative criteria of the Southern Association of Colleges and Schools, and the appropriate accrediting body, if a professional program. There should be sufficient numbers of qualified faculty dedicated to a new program. This number shall vary depending on the discipline, the nature of the program, and the anticipated number of students.

(B) In evaluating faculty resources for proposed degree programs, the Board shall consider only those degrees held by faculty that were issued by:

(i) United States institutions accredited by accrediting agencies recognized by the Board or,

(ii) institutions located outside the United States that have demonstrated that their degrees are equivalent to degrees issued from an institution in the United States accredited by accrediting agencies recognized by the Board. The procedures for establishing that equivalency shall be consistent with the guidelines of the National Council on the Evaluation of Foreign Education Credentials, or its successor.

(4) Library and IT resources. Library and information technology resources must be adequate for the program and meet the standards of the appropriate accrediting agencies.

(5) Facilities, equipment, and clinical placements. Facilities and clinical placements must be adequate to initiate the program. Adequate classroom and laboratory space, equipment, and office space should be available for the proposed program. Arrangements for any essential clinical placements should be made before program approval.

(6) Curriculum design. The curriculum should be up-to-date and consistent with current educational theory. Professional programs and those resulting in licensure must be designed to meet the standards of appropriate regulatory bodies.

(7) Program administration. Administration of the program should not be unduly cumbersome or costly. Ideally, the program should fit into the current administrative structure of the institution. If administrative changes are required, they should be consonant with the organization of the institution as a whole and should necessitate a minimum of additional expense in terms of personnel and office space.

(8) Workforce need. There should be a demonstrated or well-documented need for the program in terms of meeting present and future workforce needs of the state and nation. There should be a ready job market for graduates of the program, or alternatively, it should produce students for master's or doctoral-level programs in fields in which there is a demonstrated need for professionals.

(9) Critical mass of students. In addition to a demonstrated workforce need, a critical mass of qualified students must be available to enter the program and there must be evidence that the program is likely to have sufficient enrollments to support the program into the future. The size of an institution, the characteristics of its existing student body, and enrollments in existing programs should be taken into account when determining whether a critical mass of students shall be available for a proposed new program.

(10) Adequate financing. There should be adequate financing available to initiate the program without reducing funds for existing programs or weakening them in any way. After the start-up period, the program must be able to generate sufficient semester credit hours under funding formulas to pay faculty salaries, departmental operating costs, and instructional administration costs for the program. Three years should be sufficient time for the program to meet these costs through semester credit hour production. If the state funding formulas are not meeting these costs for the program after three years, the institution and the Board should review the program with a view to discontinuance.