

community or technical college.

(9) Selected Public Colleges--Those public colleges authorized to offer baccalaureate degrees in Texas.

(10) Upper-division certificate program--A certificate program at a university or health-related institution that consists primarily of upper-division undergraduate courses.

**Source Note:** *The provisions of this §5.43 adopted to be effective May 28, 2003, 28 TexReg 4125; amended to be effective November 28, 2007, 32 TexReg 8490*

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#### **§5.44 Presentation of Requests and Steps for Implementation**

(a) Requests for new degree programs, certificate programs, and administrative units shall be made following procedures specified by the Commissioner.

(b) Requests for new degree and certificate programs and for administrative changes require:

(1) Approval by the Board of preliminary authority, if needed prior to Board consideration; all requests for doctoral programs require preliminary authority prior to Board consideration.

(2) Approval by the governing board of the institution concerned;

(3) Certification of adequate funding by the institution; and

(4) Final approval by the Board, or by the Commissioner if permitted under §5.50 of this title (relating to Approvals by the Commissioner).

**Source Note:** *The provisions of this §5.44 adopted to be effective May 28, 2003, 28 TexReg 4125; amended to be effective May 12, 2005, 30 TexReg 2662*

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#### **§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.

**Source Note:** The provisions of this §5.45 adopted to be effective May 28, 2003, 28 TexReg 4125; amended to be effective February 22, 2005, 30 TexReg 835

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#### **§5.46 Criteria for New Doctoral Programs**

New doctoral programs must meet all of the following criteria:

(1) Design of the Program. A doctoral-level program is designed to prepare a graduate student for a lifetime of teaching creative activity, research, or other professional activity. The administration and the faculty of institutions initiating doctoral-level programs should exhibit an understanding and commitment to the long tradition of excellence associated with the awarding of the traditional doctorate degrees and of the various doctoral-level professional degrees.

(2) Freedom of Inquiry and Expression. Doctoral programs must be characterized by complete freedom of

inquiry and expression.

(3) Strong Programs at the Undergraduate and Master's Levels. Doctoral programs, in most instances, should be undergirded by strong programs in a wide number of disciplines at the undergraduate and master's levels. Quality programs in other related and supporting doctoral areas must also be available.

(4) Need for the Program. There should be a demonstrated and well-documented need for doctorally prepared professionals in the discipline of the proposed program both in Texas and in the nation. It is the responsibility of the institution requesting a doctoral program to demonstrate that such a need exists, preferably through an analysis of national data showing the number of PhD's being produced annually in the area and comparing that to the numbers of professional job openings for PhD's in the discipline in question as indicated by sources such as the main professional journal(s) of the discipline.

(5) Faculty Resources.

(A) There must be a strong core of doctoral faculty, at least four or five, holding the doctor of philosophy degree or its equivalent from a variety of graduate schools of recognized reputation. Professors and associate professors must be mature persons who have achieved national or regional professional recognition. All core faculty must be currently engaged in productive research, and preferably have published the results of such research in the main professional journals of their discipline. They should come from a variety of academic backgrounds and have complementary areas of specialization within their field. Some should have experience directing doctoral dissertations. Collectively, the core of doctoral faculty should guarantee a high quality doctoral program with the potential to attain national prominence. The core faculty members should already be in the employ of the institution. Proposed recruitment of such faculty shall not meet this criterion. No authorized doctoral program shall be initiated until qualified faculty are active members of the department through which the program is offered.

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

(6) Teaching Loads of Faculty. Teaching loads of faculty in the doctoral program should not exceed two or three courses per term, and it must be recognized that some of these shall be advanced courses and seminars with low enrollments. Adequate funds should be available for attendance and participation in professional meetings and for travel and research necessary for continuing professional development.

(7) Critical Mass of Superior Students. Admission standards and enrollment expectations must guarantee a critical mass of superior students. The program must not result in such a high ratio of doctoral students to faculty as to make individual guidance prohibitive.

(8) On-Campus Residency Expectations.

(A) Institutions which offer doctoral degrees must provide through each doctoral program:

(i) significant, sustained, and regular interaction between faculty and students and among students themselves;

(ii) opportunities to access and engage in depth a wide variety of educational resources related to the degree program and associated fields;

(iii) opportunities for significant exchange of knowledge with the academic community;

(iv) opportunities to broaden educational and cultural perspectives; and

(v) opportunities to mentor and evaluate students in depth.

(B) Institutions are traditionally expected to meet these provisions through substantial on-campus residency requirements. Proposals to meet them in other, non-traditional ways (e.g., to enable distant delivery of a doctoral program) must provide persuasive and thorough documentation as to how each provision would be met and evaluated for the particular program and its students. Delivery of doctoral programs through distance education and/or off-campus instruction requires prior approval of the Board as specified in §4.104(c)(3) of this title (relating to Approval of Distance Education and Off-Campus Instruction for Public Colleges and Universities).

(9) Adequate Financial Assistance for Doctoral Students. There should be adequate financial assistance for doctoral students so as to assure that most of them can be engaged in full-time study. Initially, funds for financial assistance to the doctoral students usually must come from institutional sources. As the program develops and achieves distinction, it increasingly shall attract support from government, industry, foundations, and other sources.

(10) Carefully Planned Program of Study. There should be a carefully planned and systematic program of study and a degree plan which is clear, comprehensive, and generally uniform but which permits sufficient flexibility to meet the legitimate professional interests and special needs of doctoral-level degree candidates. There should be a logical sequence of stages by which degree requirements shall be fulfilled. The plan should require both specialization and breadth of education, with rules for the distribution of study to achieve both, including interdisciplinary programs if indicated. The plan should include a research dissertation or equivalent requirements to be judged by the doctoral faculty on the basis of quality rather than length.

(11) Physical Facilities. There should be an adequate physical plant for the program. An adequate plant would include reasonably located office space for the faculty, teaching assistants, and administrative and technical support staff; seminar rooms; laboratories, computer and electronic resources; and other appropriate facilities.

(12) Library Resources. There should be an adequate library for the proposed program. Library resources should be strong not only in the doctoral program field but also in related and supporting fields.

(13) Program Evaluation Standards. Proposed programs should meet the standards of the Southern Association of Colleges and Schools, and the accrediting standards and doctoral program criteria of appropriate professional groups and organizations, such as the Council of Graduate Schools in the United States, the Modern Language Association, the American Historical Association, the Accreditation Board for Engineering and Technology or other bodies relevant to the particular discipline. Out-of-state consultants may be used by the institution or the Board to assist in evaluating the quality of a proposed doctoral level program.

(14) First Doctoral Program. When an institution has not previously offered doctoral level work, notification to the executive secretary of the Commission on Colleges, Southern Association of Colleges and Schools, is required at least one year in advance of program implementation.

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**Source Note:** The provisions of this §5.46 adopted to be effective May 28, 2003, 28 TexReg 4125; amended to be effective February 22, 2005, 30 TexReg 835

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#### **§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.

**Source Note:** The provisions of this §5.47 adopted to be effective May 28, 2003, 28 TexReg 4125

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#### **§5.48 Criteria for Certificate Programs at Universities and Health-Related Institutions**

(a) Universities and health-related institutions are encouraged to develop upper-division and graduate certificate