



Chapter 4. Rules Applying to All Public Institutions of Higher Education in Texas

Subchapter A. General Provisions

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§4.1 Purpose

This section establishes rules on a variety of topics that apply exclusively to public institutions of higher education.

Source Note: The provisions of this §4.1 adopted to be effective May 27, 2003, 28 TexReg 4107

§4.2 Authority

Unless otherwise noted in a section, the authority for these provisions is provided by Texas Education Code, §61.051 which describes the Board's role in the Texas system of higher education.

Source Note: The provisions of this §4.2 adopted to be effective May 27, 2003, 28 TexReg 4107

§4.3 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

(1) Active military service--Active service in the armed forces of the United States or in the National Guard or the Texas State Guard.

(2) Associate of Science degree and the Associate of Arts degree-- Collegiate degrees consisting of lower-division courses designed to

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§4.4 Student Absences on Religious Holy Days

(a) Under Texas Education Code, §51.911, all institutions of higher education shall excuse a student from attending classes or other required activities, including examinations, for the observance of a religious holy day, including travel for that purpose. A student whose absence is excused under this subsection may not be penalized for that absence and shall be allowed to take an examination or complete an assignment from which the student is excused within a reasonable time after the absence.

(b) Each institution of higher education shall develop and include in its official bulletins, catalogs, and other appropriate publications a statement regarding its policies and procedures for all excused absences. Policies and procedures for absences due to religious holy days shall be consistent with (or no more arduous than) the institution's policies and procedures relating to other excused absences.

(c) Texas Education Code, §51.911 defines a religious holy day. If a student and an instructor disagree about the nature of the absence being for the observance of a religious holy day as defined therein, or if there is similar disagreement about whether the student has been given a reasonable time to complete any missed assignments or examinations, either the student or the instructor may request a ruling from the chief executive officer of the institution or his or her designee. The student and instructor shall abide by the decision of the chief executive officer or his/her designee.

(d) Each institution may exclude from these policies and procedures any student absence for religious holy days which may interfere with patient care.

Source Note: The provisions of this §4.4 adopted to be effective May 27, 2003, 28 TexReg 4107; amended to be effective February 24, 2004, 29 TexReg 1659

§4.5 Common Calendar

(a) The Commissioner shall establish and periodically update a common calendar for Texas public universities and community, technical and state colleges.

(b) The Commissioner may grant waivers to the common calendar to benefit students and/or to improve the efficient operations of the institutions.

(c) A semester normally shall include 15 weeks for instruction and one week for final examinations or a total of 16 weeks instruction and examinations combined. Every fall semester will end before Christmas, but not later than December 23.

(d) The summer session shall be considered an integral part of the college year and maximum use should be made of the summer session. Each of the two summer terms shall include no less than 5 1/2 calendar weeks, including registration, instructions, and final examinations. Colleges may register students for a six semester credit hour load for each 5 1/2-week summer term. Colleges and universities may schedule summer terms longer or shorter than 5 1/2 weeks, but the amount of credit students are allowed to enroll for must be proportional.

(e) Each college and university shall establish its own dates for orientation, registration, holidays, final examinations, and the end of each semester and summer term consistent with subsections (c) and (d) of this section.

(f) The Texas Education Agency shall be notified of the calendar adopted and be encouraged to communicate with the Board about possible further coordination of school and college calendar.

(g) Nothing in this section shall be interpreted to preclude experimentation and innovation by any institution looking toward full utilization of facilities on a year-round basis.

Source Note: *The provisions of this §4.5 adopted to be effective May 27, 2003, 28 TexReg 4107*
