

Amend CSSB 215 (house committee printing) as follows:

(1) Strike added Section 61.0512(d), Education Code (page 20, line 27, through page 21, line 2), and reletter the remaining subsections of amended Section 61.0512, Education Code, accordingly.

(2) Strike added Section 61.0512(f), Education Code (page 21, lines 7 through 16), and reletter the remaining subsections of amended Section 61.0512, Education Code, accordingly.

(3) Add the following appropriately numbered SECTION to the bill and renumber the remaining SECTIONS of the bill accordingly:

SECTION _____. Subchapter C, Chapter 61, Education Code, is amended by adding Section 61.0518 to read as follows:

Sec. 61.0518. LOW-PRODUCING DEGREE PROGRAM REVIEW. (a) In this section:

(1) "Degree program" includes a certificate program.

(2) "Related degree program" means a degree program for which an institution of higher education may use common faculty and other resources.

(3) "Small class" means a section of a course offered by an institution of higher education that is considered a lecture, laboratory class, or seminar that is:

(A) an undergraduate class with fewer than 10 undergraduate registrants; or

(B) a graduate class with fewer than five graduate registrants.

(b) The board shall provide to each institution of higher education an annual list of those degree programs offered by the institution that do not meet the following applicable minimum standards for the number of degrees or certificates awarded in the program:

(1) for a career technical certificate or an associate's or bachelor's degree program, a total of at least 25 degrees or certificates awarded for the preceding five-year period;

(2) for a master's degree program, a total of at least 15 degrees awarded for the preceding five-year period; and

(3) for a doctoral or special professional degree program, a total of at least 10 degrees awarded for the preceding

five-year period.

(c) The board shall notify an institution of higher education when a degree program offered by the institution has not met the applicable minimum standards prescribed by Subsection (b) for three consecutive academic years, and subsequently if that degree program has not met those standards for four consecutive academic years.

(d) For purposes of this section, the completion of a career technical certificate program that is classified in the same manner as an associate's degree program is counted as a completion of the corresponding associate's degree program.

(e) This section does not apply to:

(1) a new degree program during the first five academic years after its implementation; or

(2) a master's degree program requiring only courses taught in the corresponding doctoral program.

(f) If the board determines that a degree program offered by an institution of higher education has not met the applicable minimum standards prescribed by Subsection (b) for five consecutive years and the board substantiates and makes available to the institution evidence of any cost-savings and efficiencies associated with the consolidation or elimination of the degree program, the board shall order the institution to consolidate or eliminate the degree program. On receipt of that order, the institution must:

(1) eliminate the degree program or consolidate the degree program with another program or programs in accordance with the order; or

(2) request a temporary exemption from the requirement of Subdivision (1).

(g) On request by an institution of higher education, the board shall grant a low-producing degree program a temporary exemption from the requirement of Subsection (f)(1) if the board determines that:

(1) based on a narrative explanation submitted by the institution in the institution's request:

(A) the institution has demonstrated that the

degree program contributes to meeting the goals in "Closing the Gaps," the state's master plan for higher education, or other board priorities, including meeting workforce needs in specific industries; and

(B) the institution is making efforts in regard to the degree program to increase enrollments, limit cost inefficiencies, limit the number of small classes, and improve program success; or

(2) the degree program is composed exclusively of courses required for other existing degree programs at the institution and there is limited or no additional cost associated with the degree program.

(h) The board shall approve or deny a request for a temporary exemption under Subsection (f) not later than the 60th day after the date the request is submitted. If approved, the board, in cooperation with the institution of higher education, shall establish the duration, not to exceed four years, for the temporary exemption. If the request is denied, the board shall provide the institution with an explanation for the denial.

(i) An institution of higher education may appeal a denial of a temporary exemption under Subsection (h) to the board. The board by rule shall establish a process for appeal, including time frames for testimony and other evidence and the types of information the board may consider in making a decision on an appeal.

(j) Except as otherwise provided by this subsection, a program that has been discontinued due to low productivity may not be considered for reinstatement for a period of 10 years. To be eligible for reinstatement after that period, a program must satisfy the board's requirements for the approval of a new academic program. An institution may request the reinstatement of a program discontinued due to low productivity before the conclusion of the 10-year period by completing the applicable new academic program request form and providing compelling evidence of state or regional need that the board considers satisfactory. An institution may not request reinstatement of a program more than once per year.

(k) An institution of higher education may not add a new

degree program that is a related degree program to one that has been discontinued due to low productivity without completing the applicable new program request form and providing compelling evidence of state or regional need that the board considers satisfactory.

(1) The board shall adopt rules to implement this section, including rules specifying the time frame and process for consolidating or eliminating a degree program.