



13 MAY 14 AM 12:
HOUSE OF REPRESENTA

FLOOR AMENDMENT NO. _____

BY: Anchia

1 Amend C.S.S.B. No. 215 (house committee printing) as follows:

2 (1) Strike added Section 61.0512(d), Education Code (page
3 20, line 27, through page 21, line 2), and reletter the remaining
4 subsections of amended Section 61.0512, Education Code,
5 accordingly.

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

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

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

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

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

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

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

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

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

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

1 program:

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

5 (2) for a master's degree program, a total of at least
6 15 degrees awarded for the preceding five-year period; and

7 (3) for a doctoral or special professional degree
8 program, a total of at least 10 degrees awarded for the preceding
9 five-year period.

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

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

20 (e) This section does not apply to:

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

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

25 (f) If the board determines that a degree program offered by
26 an institution of higher education has not met the applicable
27 minimum standards prescribed by Subsection (b) for five consecutive
28 years and the board substantiates and makes available to the
29 institution evidence of any cost-savings and efficiencies
30 associated with the consolidation or elimination of the degree
31 program, the board shall order the institution to consolidate or

1 eliminate the degree program. On receipt of that order, the
2 institution must:

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

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

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

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

14 (A) the institution has demonstrated that the
15 degree program contributes to meeting the goals in "Closing the
16 Gaps," the state's master plan for higher education, or other board
17 priorities, including meeting workforce needs in specific
18 industries; and

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

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

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

1 temporary exemption. If the request is denied, the board shall
2 provide the institution with an explanation for the denial.

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

9 (j) Except as otherwise provided by this subsection, a
10 program that has been discontinued due to low productivity may not
11 be considered for reinstatement for a period of 10 years. To be
12 eligible for reinstatement after that period, a program must
13 satisfy the board's requirements for the approval of a new academic
14 program. An institution may request the reinstatement of a program
15 discontinued due to low productivity before the conclusion of the
16 10-year period by completing the applicable new academic program
17 request form and providing compelling evidence of state or regional
18 need that the board considers satisfactory. An institution may not
19 request reinstatement of a program more than once per year.

20 (k) An institution of higher education may not add a new
21 degree program that is a related degree program to one that has been
22 discontinued due to low productivity without completing the
23 applicable new program request form and providing compelling
24 evidence of state or regional need that the board considers
25 satisfactory.

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