

**Notification and Approval Procedures for
Distance Education, Off-Campus, and On-Campus Extension Programs and Courses**
October 2005

Public institutions shall adhere to the following procedures for notification and approval of distance education, off-campus and on-campus extension programs and courses. According to Chapter 4, Subchapter E of Coordinating Board Rules, the term “program” refers to both certificate and degree programs. In this document, courses offered by community colleges refer both to lower-division courses and formula-funded workforce education credits. Non-credit adult and continuing education courses offered at a distance by universities and health science centers are exempt from Subchapter E.

1. Distance Education (both Formula Funded and Extension) Delivery of Courses and Programs.

Following Board approval of an Institutional Plan or Report (as required by Board Rules Section 4.106 of Chapter 4, Subchapter E), the governing board of the institution shall thereafter approve formula funded and extension courses and programs offered by distance education, with the following conditions and exceptions:

(1) Each institution or system shall have in place a process for the review and approval of formula funded and extension courses and programs, e.g. governing board procedure could be that courses are approved at the institution level through a defined process. Programs need governing board level examination.

(2) Before an institution initiates a program delivered by distance education, the President or chief academic officer of the institution shall submit a Board prescribed certification form affirming, in part, that the program will be offered in accordance with the *Principles of Good Practice for Academic Degree and Certificate Programs and Credit Courses Offered Electronically* as adopted by the Board, that it will be the same as the program approved for on-campus delivery, and that it meets the quality standards and criteria identified in Board guidelines.

(3) Courses offered by higher education institutions through distance education shall be reported in accordance with provisions and schedules determined by the Commissioner. They also shall adhere to the following criteria:

(A) Undergraduate and master’s courses can be delivered **online (via the Internet)** following a defined internal review process, without prior Board notification.

(B) Lower-division courses may be delivered **electronically to groups** by a public community college outside its taxing district but in its service area without prior Board notification.

(C) Lower-division courses delivered **electronically** by a public community college **to groups** outside its service area shall adhere to the Regional Council approval process described in Section 2 below.

(D) Lower-division courses delivered **electronically to groups** by a university, health-related institution, public technical college, or Lamar State college shall adhere to the Regional Council approval process described in Section 2 below.

(E) Upper-division and master's courses offered by a university or health-related institution may be delivered **electronically to groups** in the state without geographic restriction and without prior Board notification following notification of area institutions and higher education centers. Any institution party to a disagreement arising from electronic delivery of upper-division or graduate courses to groups may appeal first to the Commissioner and then to the Board.

(F) Internet and other distance education courses **offered to individuals** may be delivered in-state or out-of-state without prior governing board approval and without prior Board notification or approval.

(G) When four of the courses that support a doctoral program are offered through electronic and/or off-campus delivery, Coordinating Board notification is required. The notification shall mention whether the institution intends to offer the program through distance education and/or off-campus delivery. A program is considered to be offered through distance education and/or off-campus delivery when approximately half of the semester credit hours, excluding dissertation and research, may be completed without the student being in residence on-campus.

(H) In the event of a dispute arising from electronic delivery of *lower-division* courses that cannot be resolved by a Regional Council, any institution party to the disagreement may appeal to the Commissioner and the Board. Any institution party to a disagreement arising from electronic delivery of upper-division or graduate courses to groups may appeal first to the Commissioner and then to the Board.

(4) Programs offered by higher education institutions through distance education shall be reported in accordance with provisions and schedules determined by the Commissioner. They also shall adhere to the following criteria:

(A) Associate's and technical programs offered by a community college, technical college, or Lamar State college may be delivered **online (via the Internet)** without geographic restriction in the state, following approval by the institution's governing board, and submission of a certification form to the Board.

(B) Associate's and technical programs offered by a community college, technical college, or Lamar State college that are delivered **electronically to groups** outside its service area shall adhere to the Regional Council approval process described in Section 2 below.

(C) Baccalaureate and master's programs offered by a university or health-related institution may be delivered **online (via the Internet)** without geographic restriction in the state, following approval by the institution's

governing board, and submission of a certification form to the Board. The certification shall be submitted in accordance with provisions and schedules determined by the Commissioner and shall be acknowledged by the Board before delivery of the program begins. New programs are subject to the standard Board approval process.

(D) Baccalaureate and master's programs offered by a university or health-related institution may be delivered **electronically to groups** in the state without geographic restriction, following approval by the institution's governing board, notification of area institutions and higher education centers and Board notification.

(E) New doctoral and professional programs offered at a distance shall be approved first by the institution's governing board, then by the Coordinating Board.

(F) Doctoral and first professional programs that have received prior Coordinating Board approval for delivery through electronic instruction may be offered through other electronic modes following approval by the Distance Education Advisory Committee and the Commissioner.

(G) In the event of a dispute arising from electronic delivery of *lower-division* courses that cannot be resolved by a Regional Council, any institution party to the disagreement may appeal to the Commissioner and the Board. Any institution party to a disagreement arising from electronic delivery of upper-division or graduate courses to groups may appeal first to the Commissioner and then to the Board.

2. Procedures for Off-Campus Course and Program Delivery and On-Campus-Extension Course and Program Delivery

(a) Procedures for Review and Approval of All Off-Campus Lower-Division Instruction (both formula funded and extension) and On-Campus-Extension Lower-Division Instruction.

(1) Unless specifically exempted by the Board, all off-campus lower-division courses by universities, health-related institutions, public technical colleges, Lamar state colleges, or by public community colleges outside their service areas shall be reviewed by the higher education Regional Council containing each site proposed to receive instruction.

(2) Regional Council notification shall be made for all on-campus-extension lower-division courses.

(3) A public community college planning to offer off-campus courses and programs outside its taxing district but inside its service area shall notify all potentially affected Regional Councils prior to offering the course or program.

(4) All institutions offering off-campus lower-division instruction shall submit an annual Off-Campus Instruction Plan to the appropriate Regional Councils and the Board on a schedule to be determined by the Commissioner. An Off-Campus Instruction Plan

is an institution's listing by location of off-campus lower-division courses and programs planned to be taught during an academic year. For public community colleges, the Off-Campus Instruction Plan will contain both out-of-service area courses and programs which require Regional Council review and approval, and out-of-district-but-in-service-area courses and programs which merely require Regional Council notification.

(5) The Board recognizes Regional Councils in each of the ten Uniform State Service Regions. The presidents – or designated representatives – of each public and independent institution of higher education with its main campus in the Region comprise the Council membership. A Council Chair shall be elected by the members, with the term of service to be determined by the respective Council.

(6) Each Regional Council has the following responsibilities:

(A) To develop and file with the Academic Affairs and Research Division of the Board its procedures and guidelines for reviewing Off-Campus Instruction Plans for proposed lower-division classes, programs, and locations in the Region that require its approval.

(B) To facilitate inter-institutional cooperation in the conduct of off-campus instruction, to assure that each institution in the Region has received notification in advance of all off-campus lower-division courses and programs proposed to be offered in the Region by any other institution, and to provide each institution in the Region full opportunity to review and comment on the plans of other institutions.

(C) To make recommendations to the Commissioner regarding Off-Campus Instruction Plans proposed to be offered within its Region in accordance with the consensus views of Council members, except for courses and programs proposed to be offered by public community/junior colleges in their designated service areas.

(D) To advise the Commissioner on appropriate policies and procedures for effective state-level administration of off-campus lower-division instruction.

(E) To encourage excellence in the conduct of off-campus lower-division instruction.

(F) To study cooperatively the various methods of providing lower-division off-campus instruction, and promote the use of those methods which support quality and promise the most effective and efficient use of state resources.

(G) To hear and attempt to resolve any disputes involving off-campus and electronic delivery of lower-division courses offered by universities, health-related institutions, public technical colleges, Lamar state colleges, or public community colleges and, if necessary, to make recommendations to the Commissioner concerning these disputes.

(7) Procedures for submitting applications to the Board for authorization to offer off-campus lower-division courses are as follows:

(A) Each Regional Council shall review Off-Campus Instruction Plans affecting the Region proposed by all institutions, except for courses offered by community colleges in their designated service areas, and forward its recommendations for approval or disapproval to the Board.

(B) If proposed off-campus courses could affect an institution which is a member of another Regional Council, the Off-Campus Instruction Plan shall also be sent to that institution and to the Council to which it belongs. The full membership of that Council shall review the proposal and return a recommendation for approval or disapproval to the originating institution. This recommendation of the Regional Council and the institution's request shall both be sent to the Commissioner.

(C) The Commissioner shall devise a procedure to encourage and assist Regional Councils in the resolution of disputes between or among institutions.

(D) The Commissioner shall consider the recommendations of Regional Councils. Public and independent institutions which have concerns about possible unnecessary duplication of off-campus courses and programs planned for their Region may appeal to the Commissioner. The Commissioner has the authority to approve or disapprove courses and Off-Campus Instruction Plans, and to resolve disputes between or among institutions which cannot be resolved by the Councils, including courses and programs offered by a public community college within its service area but outside its taxing district. Institutions may appeal off-campus approvals and disapprovals made by the Commissioner to the Board.

(E) The Commissioner shall develop a time schedule for submission of Regional Council recommendations, for Commissioner review and response to all affected institutions on approvals and disapprovals of courses proposed under each Off-Campus Instruction Plan, for any needed dispute mediation procedures, and for Board appeal.

(8) After the regular annual period for approving off-campus and formula-funded workforce continuing education courses, the Regional Council may approve a limited number of additional courses for institutions if the courses have been reviewed.

(b) Procedures for Review and Approval of All Off-Campus Upper-Division and Graduate Courses and Programs (both formula-funded and extension) and On-Campus-Extension Courses and Programs.

(1) Universities and health-related institutions shall notify all area institutions, Higher Education Centers, and the Coordinating Board of their plans to offer courses and programs governed by this section during the next instructional period within the time frame prescribed by the Commissioner, and shall seek to eliminate any conflicts or unnecessary duplication. Governing board approval and **certification** to the

Coordinating Board is required before proposing to offer a full off-campus or on-campus-extension program.

(2) The Commissioner has the authority to resolve disputes between institutions regarding the offering of courses and programs governed by this section and has the authority to approve or disapprove such courses or programs.

(3) The Commissioner shall report to area institutions on approvals and disapprovals of disputed courses and programs governed by this section. The Board may hear appeals to approvals and disapprovals made by the Commissioner.

(4) Doctoral and special professional programs that have received prior Coordinating Board approval for delivery through off-campus instruction may be offered to additional sites following approval by the Distance Education Advisory Committee and the Commissioner.

(c) Off-Campus and On-Campus-Extension Instruction Review Exemptions.

(1) The Commissioner **may** exempt from Regional Council or notification of area institutions procedures the following types of off-campus and on-campus-extension courses and programs:

(A) Courses and programs taught on military bases or in correctional institutions;

(B) New courses added to an existing off-campus or on-campus-extension certificate or degree program which has previously been examined through the area institution notification process, which has received governing board approval, and on which the Board has received a certification form.

(2) Instruction offered under all such exemptions shall be reported in accordance with the Board's uniform reporting system and will be subject to monitoring for quality.

3. Approval of Study-Abroad and Study-in-America Courses

(a) Study-Abroad and Study-in-America courses offered by institutions of higher education, or by an approved consortium composed of institutions, shall be approved by the Commissioner in order for the semester credit hours or contact hours generated in those courses to be used for formula reimbursement.

(1) An institution or consortium shall certify that the course meets the standards and criteria set forth in subsection (b) of this section.

(2) A course that has been previously approved for funding does not need to be reapproved if it has not been substantively changed.

(3) Faculty shall not teach Study-Abroad and Study-in-America courses for formula funding unless the faculty member is accompanying a cohort of students from a Texas public institution.

(4) Institutions may enroll students who are not regularly enrolled on-campus in Study-Abroad and Study-in-America courses provided the credit hours generated by these students are not submitted for formula funding.

(b) Study-Abroad and Study-in-America courses are subject to the following standards and criteria:

(1) All students enrolled shall meet institutional standards for admission and shall be admitted to the institution or to one of the participating institutions in an approved consortium. All students shall pay the appropriate tuition and fees for their residency category for the total number of credit hours earned. Financial aid shall be available to students on the same basis as students seeking financial aid for on-campus instruction. Additional financial aid may be furnished as appropriate.

(2) Instruction shall be provided by faculty of the institution or one of the consortium institutions and be supervised and evaluated according to appropriate institutional policies. Exceptions may be made by the Commissioner to take advantage of uniquely qualified instructors at out-of-state or foreign locations if the institution provides justification and the exception is approved by faculty or institutional officials.

(3) Individual courses shall meet the following standards and criteria:

(A) Each course shall be on the approved course inventory of the main campus of the institution or a consortium institution, shall be part of an approved degree or certificate program, and shall be justified in terms of academic, cultural, or other resources available at the specific location(s).

(B) Instruction shall conform to all relevant academic policies of the institution. All courses shall conform to the institution's workload and enrollment requirements, contact hour/credit ratio, and similar matters.

(C) Courses may not offer credit for activities undertaken primarily for travel, recreation, or pleasure.

(D) Minimum class enrollments shall conform to the same standards applicable to on-campus classes.

(4) Multi-course offerings shall meet the following standards and criteria:

(A) A group of courses taught by an individual faculty member and offered in the same time period and in the same out-of-state or foreign location may be considered an aggregate for approval purposes.

(B) The Commissioner may approve an aggregate so long as at least one-half of the courses comply with paragraph 3(A) of this subsection and all the courses comply with the other criteria in this section.

(5) Advertising or marketing for out-of-state and foreign courses shall emphasize the instructional nature of the courses and may not offer credit-for-travel experiences.

(6) Faculty and staff shall not receive unusual perquisites or unusual financial gain for teaching out-of-state or foreign courses.

(7) Except for funds specifically appropriated for international activities (e.g. state incentive programs, scholarships, etc.), state funds shall not be used for faculty or student travel, meals and lodging, or other incidental expenses associated with out-of-state or foreign instruction.

(8) Any free tickets for travel, accommodations, or other expenses provided by travel agents, carriers, or hotels shall be used in direct support of the instructional program and shall not be given away.

(9) No state funding shall be provided for distance education courses or credits delivered to reception sites outside state boundaries without prior approval of the Commissioner.

(10) Study-Abroad and Study-in-America courses are subject to reporting in accordance with the Board's uniform reporting system. Study-Abroad and Study-in-America courses that are not reported by location will be disallowed for funding.

(11) Notification of area institutions is not required for Study-Abroad and Study-in-America courses.

4. Out-of-State and Out-of-Country Courses and Programs.

(a) Out-of-state and out-of-country courses offered by institutions of higher education are extension courses and may be offered electronically to groups or face-to-face at a site outside Texas. The semester credit hours generated in these courses may **not** be submitted for formula funding.

(b) A few out-of-state and out-of-country courses may be taught without prior approval of the Board. However, full degree programs offered under these circumstances shall be approved in accordance with the provisions of Board Rules and Regulations Chapter 4, Subchapter E.

(c) Institutions of higher education shall submit a certification form prescribed by the Commissioner for each out-of-state and out-of-country program offered.

(d) Public community and technical colleges proposing to offer off-campus out-of-state or out-of-country courses for which no state funds are expended are subject to the provisions of Chapter 9, Subchapter I of Coordinating Board Rules.

(e) Notification of area institutions is not required for out-of-state and out-of-country courses.