

An institution of higher education, including each college district, may offer off-campus courses for credit within the state or distance learning courses only with specific prior approval of the Coordinating Board. An institution must certify to the Coordinating Board that a course offered for credit outside the state meets the Coordinating Board's academic criteria. An institution shall include the certification in submitting any other reports required by the Coordinating Board. *Education Code 61.0512(g)*

DEFINITIONS

“DISTANCE
EDUCATION”

“Distance education” is the formal education process that occurs when students and instructors are not in the same physical setting for the majority (more than 50 percent) of instruction. *19 TAC 4.257(8)*

“DISTANCE
EDUCATION
COURSE”

A “distance education course” refers to a course in which a majority (more than 50 percent) of the instruction occurs when the student(s) and instructor(s) are not in the same place. Two categories of distance education courses are defined as follows:

1. Fully Distance Education Course: A course that may have mandatory face-to-face sessions totaling no more than 15 percent of the instructional time. Examples of face-to-face sessions include orientation, laboratory, exam review, or an in-person test.
2. Hybrid/Blended Course: A course in which a majority (more than 50 percent but less than 85 percent) of the planned instruction occurs when the students and instructor(s) are not in the same place.

19 TAC 4.257(9)

“SELF-SUPPORTING
COURSES AND
PROGRAMS”

“Self-supporting courses and programs” are academic credit courses and programs (formerly defined as extension courses or programs) whose semester credit hours are not submitted for formula funding. *19 TAC 4.257(24)*

“WORKFORCE
CONTINUING
EDUCATION
COURSE”

A “workforce continuing education course” is a course of ten contact hours of participation in an organized continuing education experience under responsible sponsorship, capable direction, and qualified instruction, as outlined in the Guidelines for Instructional Programs in Workforce Education with an occupationally specific objective and supported by state appropriations. Workforce continuing education courses are offered by community and technical colleges and differ from a community service course, which is not eligible for state reimbursement and is offered for recreational or vocational purposes. *19 TAC 4.257(27)*

ALTERNATE METHODS OF INSTRUCTION
DISTANCE EDUCATION

EBA
(LEGAL)

APPLICABILITY OF
SUBCHAPTER P

The provisions of 19 Administrative Code Chapter 4, Subchapter P (addressing approval of distance education courses and programs) apply to academic credit courses, degree and certificate programs, and self-supporting courses and programs provided by all public institutions of higher education, including college districts, and formula-funded workforce continuing education provided by a public community college, Lamar State College, or public technical college. These provisions do not apply to non-formula-funded continuing education provided by a public community college, Lamar State College, or public technical college. *19 TAC 4.258*

STANDARDS AND
CRITERIA

With respect to distance education, all institutions covered by 19 Administrative Code Chapter 4, Subchapter P shall:

GENERALLY

1. Comply with the standards and criteria of the Commission on Colleges of the Southern Association of Colleges and Schools.
2. Adhere to criteria outlined in Principles of Good Practice for Degree and Certificate Programs and Courses Offered through Distance Education.
3. Provide students academic support services appropriate for distance education, such as advising, career counseling, library, and other learning resources.
4. Report enrollments, courses, and graduates associated with distance education offerings as required by the commissioner.

If a non-Texas resident student enrolls in regular, on-campus courses for at least one-half of the normal full-time course load as determined by the institution, the institution may report that student's fully distance education or hybrid/blended courses for formula-funding enrollments.

19 TAC 4.260

OUT-OF-STATE

If an institution is offering postsecondary education through distance or correspondence education to students in a state in which it is not physically located or in which it is otherwise subject to state jurisdiction as determined by the state, the institution must meet any state requirements for it to be legally offering postsecondary distance or correspondence education in that state. An institution must be able to document to the U.S. Secretary of Education the state's approval upon request. *34 C.F.R. 600.9(c)*

For the purposes of the out-of-state approval provision, "distance education" means education that uses one or more of the technologies listed below at 1 through 4 to deliver instruction to students who are separated from the instructor and to support regular and

substantive interaction between the students and the instructor, either synchronously or asynchronously. The technologies may include:

1. The Internet;
2. One-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices;
3. Audio conferencing; or
4. Video cassettes, DVDs, and CD-ROMs, if the cassettes, DVDs, or CD-ROMs are used in a course in conjunction with any of the technologies listed at 1 through 3, above.

A "correspondence course" is a course provided by an institution under which the institution provides instructional materials, by mail or electronic transmission, including examinations on the materials, to students who are separated from the instructor. Interaction between the instructor and the student is limited, is not regular and substantive, and is primarily initiated by the student. Correspondence courses are typically self-paced. A correspondence course is not distance education.

If a course is part correspondence and part residential training, the U.S. Secretary of Education considers the course to be a correspondence course.

34 C.F.R. 600.2

DISTANCE
EDUCATION
PROGRAMS

The following standards and criteria apply to programs offered under the provisions of 19 Administrative Code Chapter 4, Subchapter P:

1. Each program shall be within the role and mission of the institution responsible for offering the instruction and shall be on the inventory of approved programs.
2. Prior approval by the Coordinating Board may be required before an institution may offer programs in certain subject area disciplines or under other conditions specified by the Coordinating Board or the commissioner.
3. An institution offering a degree or certificate program shall comply with the standards and criteria of any specialized accrediting agency or professional certification board.
4. Each degree program offered by distance education shall be approved by an institution's governing board or the board's

institutional designee. Certification of approval shall be submitted to the Coordinating Board upon request.

5. An institution shall require that students, except for students in out-of-country programs, enrolled in a distance education degree program satisfy the same requirements for admission to the institution and the program as required of regular on-campus students. Students in degree programs to be offered collaboratively shall meet the admission standards of their home institution.
6. Out-of-country students shall meet equivalent standards for admission into programs and shall be assessed for academic guidance purposes in a manner determined by the admitting institution.

19 TAC 4.261

DISTANCE
EDUCATION
COURSES

The following standards and criteria apply to courses offered under the provisions of 19 Administrative Code Chapter 4, Subchapter P:

1. Each course shall be within the role and mission of the institution responsible for offering the instruction and shall be on its inventory of approved courses.
2. All courses shall meet the quality standards applicable to on-campus courses.
3. Institutions shall report to the Coordinating Board, in accordance with Coordinating Board policy and procedures, all distance education courses and programs.
4. Students shall satisfy the same requirement for enrollment in an academic credit course as required of on-campus students, except that out-of-country students shall meet equivalent standards for enrollment in an academic credit course and shall be assessed for academic guidance purposes in a manner determined by the admitting institution.
5. The instructor of record shall bear responsibility for the delivery of instruction and for evaluation of student progress.
6. Prior Coordinating Board approval may be required before an institution may offer programs in certain subject area disciplines or under other conditions specified by the Coordinating Board or the commissioner.

19 TAC 4.262

ALTERNATE METHODS OF INSTRUCTION
DISTANCE EDUCATION

EBA
(LEGAL)

DISTANCE EDUCATION
FACULTY

The following standards and criteria apply to faculty teaching in programs offered under the provisions of 19 Administrative Code, Chapter 4, Subchapter P:

1. Faculty shall be selected and evaluated by equivalent standards, review, and approval procedures used by the institution to select and evaluate faculty responsible for on-campus courses.
2. Institutions shall provide training and support to enhance the added skills required of the faculty teaching courses through electronic means.
3. The supervising, monitoring, and evaluating processes for faculty shall be equivalent to those for on-campus courses.

19 TAC 4.263

INSTITUTIONAL PLAN

Prior to offering any distance education courses or programs for the first time, institutions of higher education, including college districts, shall submit an Institutional Plan for Distance Education to the Coordinating Board for approval. The commissioner shall provide guidelines for development of the report and a schedule for any periodic submission of updated reports.

Institutional academic and administrative policies shall reflect a commitment to maintain the quality of distance education courses and programs in accordance with the provisions of 19 Administrative Code Chapter 4, Subchapter P. An Institutional Plan for Distance Education shall conform to Coordinating Board guidelines and criteria of the Commission on Colleges of the Southern Association of Colleges and Schools in effect at the time of the Report's approval. These criteria shall include provisions relating to:

1. Institutional issues;
2. Educational programs;
3. Faculty;
4. Student support services; and
5. Distance education facilities and support.

19 TAC 4.259

FUNDING
FORMULA FUNDING

Institutions, including college districts, shall report distance education courses submitted for formula funding in accordance with the Coordinating Board's uniform reporting system and the provision of 19 Administrative Code Chapter 4, Subchapter P.

Institutions may submit for formula funding academic credit courses delivered by distance education to any student located in Texas or to Texas residents located out-of-state or out-of-country.

Institutions shall not submit for formula funding distance education courses taken by non-resident students who are located out-of-state or out-of-country, courses in out-of-state or out-of-country programs taken by any students, or self-supporting courses.

19 TAC 4.264(a)–(c)

FEES

For courses not submitted for formula funding, institutions shall charge fees that are equal or greater than Texas resident tuition and applicable fees and that are sufficient to cover the total cost of instruction and overhead, including administrative costs, benefits, computers and equipment, and other related costs.

Institutions shall report fees received for self-supporting and out-of-state/country courses in accordance with general institutional accounting practices.

19 TAC 4.264(d)

Note: For more information regarding distance education, including related approval processes, reporting deadlines, and forms, visit the Coordinating Board's Distance Education Policies, Procedures, and Forms website, available at <http://www.thecb.state.tx.us/index.cfm?objectid=A5A152AC-D29D-334F-872625E9E77B3B37>.
