

**A Report on  
Senate Bill 1231 and  
Section 51.907 of the Texas Education Code**

**Limiting the Number of Course Drops  
For Undergraduate Students at  
Public Institutions of Higher Education  
In Texas**

**Recommendations for Implementation**

**The Texas Association of Collegiate Registrars  
And Admissions Officers**

**November 2007**

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## **Executive Summary**

### **Introduction**

This report has been prepared as a cooperative effort between the Texas Association of Collegiate Registrars and Admission Officers (TACRAO) and the staff of The Higher Education Coordinating Board of Texas (THECB). It is intended to serve as a guide for implementing section 51.907 of the Texas Education Code, originated by Senate Bill 1231 of the 80th Texas Legislature. In preparation for the 86th annual meeting of TACRAO, held in Addison, Texas November 10-14, 2007, a draft report was posted to the TACRAO website and the membership advised to read its contents prior to the meeting. During the conference the report was presented and discussed by TACRAO members and THECB staff. No modifications were made to the report as a result of those discussions and the report is now considered final.

### **A brief history of HB 116 and SB 1231**

During the 80th Legislature HB 116, designed to limit the number of drops for undergraduates at public institutions of higher education in Texas, was authored by Representative Fred Brown and introduced to the House Higher Education Committee<sup>1</sup>. Subsequent to that testimony, The Texas Association of Collegiate Registrars and Admissions Officers (TACRAO) sent a communication to the chair and members of the House Higher Education Committee to provide basic information about how course drops and complete withdrawals worked at higher education institutions in Texas.<sup>2</sup> A subsequent communication was provided to Representative Brown to alert him of the implementation difficulties and potential unintended consequences of HB 116.<sup>3</sup>

HB 116 was reported favorably by the House Higher Education Committee during a committee meeting held at Chairwoman Jeanie Morrison's desk on the floor of the House chambers, subsequent to the adjournment of a session of The House of Representatives. The Legislative Calendar Committee never scheduled HB 116 to be heard by the full House of Representatives. HB 116 was considered "dead" by members of the TACRAO Legislative Issues Committee. Additional testimony was on HB 116 was never taken.

In the final days of the 80th legislative session, SB 1231, authored by Senator Judy Zaffirini, was amended to include the provisions of HB 116. SB 1231<sup>4</sup> as amended was passed by both the Senate and the House, and became effective with the governor's signature. SB 1231, added section 51.907 - Limitations on number of courses that may be dropped under certain circumstances, to the Texas Education Code.

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<sup>1</sup>Testimony from Representative Fred Brown laying out HB 116 is available in the 2/19/07 video archive of the House Higher Education Committee. Testimony begins at the 14:45 minute mark of the broadcast located at: <http://www.house.state.tx.us/committees/broadcasts.php?session=80&committeeCode=290>

<sup>2</sup> See Appendix A - Background information on HB 116

<sup>3</sup> See Appendix B - TACRAO Comments on HB 116 to Representative Brown

<sup>4</sup> See Appendix C - Engrossed version of SB 1231

## **Implementing the Texas Education Code**

As mentioned above, SB 1231 added section 51.907 to the Texas Education Code. Ultimately, implementation of the education code is the responsibility of the institutions subject to the code, which in this case are the public institutions of higher education in Texas.

Despite public statements from Representative Brown that indicate otherwise<sup>5</sup>, this statute applies to all public institutions and carries the force of law. Rumors and speculations that this legislation will be reversed in future legislative sessions are conjecture and have no basis in fact. TACRAO members are being advised to proceed with implementation of section 51.907 of the TEC.

It is noteworthy that Section 51.907 of the education code charged the Texas Higher Education Coordinating Board with writing rules that allow students to exceed the course drop limit under certain circumstances, but did not charge THECB with guiding the implementation of this statute. The specific charge to the coordinating board is found in section (e) of SB 1231.

### **THECB, TACRAO and implementation of 51.907**

Although the coordinating board has broad regulatory powers that could be used to assume a directive role in implementing this statute, THECB staff recognized the complexities that would be involved in implementing TEC 51.907. The different types of public institutions affected by this statute have different missions, admissions policies and academic cultures that deserve consideration in the implementation process. In-depth knowledge of the policies and procedures pertaining to course drops, maintaining academic records, reporting procedures to the THECB, course offerings, advising processes, and student information systems for these institutions reside in the collective consciousness of institutional personnel involved in these kinds of activities. TACRAO membership includes this kind of expertise as well as long established cooperative relationships with the staff of THECB. As a result, THECB staff and the TACRAO leadership both came to the conclusion that TACRAO and THECB needed to collaborate in implementing section 51.907 of the TEC.

### **Past implementations**

Virtually every legislative session has produced legislation modifying the Texas Education Code. Often these modifications have required cooperation efforts on the part of TACRAO and THECB staff. The Texas Academic Skills Program (TASP), the Texas Success Initiative (TSI), The Core Curriculum, and the Hazelwood reporting database are

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<sup>5</sup> The information in this article was verified as an accurate statement from Representative Brown by college officials.  
<http://media.www.dailytexanonline.com/media/storage/paper410/news/2007/09/20/TopStories/Ut.Faculty.Council.Considers.Changes.In.QDrop.Policy-2980851.shtml>

examples of statutes that were implemented through cooperative efforts between TACRAO and THECB as well as others in the higher education community in Texas. A trusting and professional relationship between TACRAO and THECB has allowed these mandates to be implemented in an efficient manner that benefited the students of Texas, the legislature, and the institutions of higher education in Texas.

Some of these past experiences have been instructive with respect to implementation approaches. For example, the approach to implementing TASP was very prescriptive and directed by THECB. Over the course of its lifetime, TASP resulted in page after page of Chapter 4 rules that regulated all the complexities of this program. That approach to implementation proved burdensome to THECB and restrictive to institutions. It also reinforced a culture of expectation on the part of TACRAO membership, who came to expect detailed direction from THECB in managing the complex and detailed nature of implementing a statute.

The approach to implementation of the Texas Success Initiative was a distinct departure from the TASP experience in that the coordinating board gave more latitude to institutions to determine how the program should be implemented. That proved to be a somewhat difficult adjustment for some TACRAO members who expected more direction concerning how TSI should be implemented. However, a mental adjustment was made and TACRAO played an active role in directing how TSI should be recorded on transcripts and thus honored between institutions.

The implementation of section 51.907 will be more like the experience of implementing TSI than that of implementing TASP. Although THECB has provided some clear rules for determining what might exempt a drop from being counted toward an individual student's course drop limit, and it has provided some clarity in definitions, it did not provide specific guidance on a variety of implementation issues. Instead, it made the comment that institutions had sufficient latitude under the rules adopted to answer some of the questions being posed.

### **Steps toward implementation of a course drop limit**

After passage of SB 1231 and the discovery that it contained the provisions of HB 116, it became apparent that a cooperative and comprehensive effort would be needed to implement this statute. A meeting between members of TACRAO and staff from THECB was held on June 26, 2007 in the offices of THECB.<sup>6</sup> In preparation for that meeting, discussions about the statute took place via the TACRAO list-serve. An informal survey was conducted to collect information on institutional practices concerning drops and withdrawals and a crude effort was made at estimating costs associated with implementing SB 1231. Included in the notes of that meeting, found in Appendix D, is an overview of the tentative implementation strategy and timetable discussed during that meeting.

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<sup>6</sup> See Appendix D - Notes from June 26th meeting of TACRAO members and THECB staff

In July 2007 TACRAO held its summer meetings in Austin. Among the topics discussed during those meetings were issues concerning implementation of SB 1231. Numerous policy, technical, logistical, and cost issues were raised during those discussions. THECB staff members were present and contributed to the identification of issues that needed to be resolved. It became apparent that a group needed to be appointed to systematically work on articulating the issues, evaluating the alternatives and making recommendations concerning how best to implement TEC 51.907. The TACRAO executive committee was made aware of the need to appoint a committee and volunteers from the membership were directed to board members so they could assemble a committee.

Subsequent to the TACRAO summer meetings, the higher education coordinating board held its' quarterly meeting in July. At that meeting THECB staff explained to the Higher Education Coordinating Board members that the staff was working on implementation of this statute with TACRAO. Members of the coordinating board expressed numerous concerns about the statute. TACRAO representatives gave testimony to the board at that meeting and pledged to work toward an implementation strategy. The board adopted, on an emergency basis, a set of rules pertaining to section 51.907 of the TEC. Approximately one month later, in late August 2007, THECB staff sent a memorandum to institutional leaders concerning actions being taken on SB 1231<sup>7</sup> and announced a comment period on the rules.

In mid September, the TACRAO Executive Committee met and appointed a SB 1231 implementation committee.<sup>8</sup> That committee organized into subcommittees and began work on several aspects of implementation including collecting comments about the adopted rules, policy issues, evaluation and articulation of various approaches to tracking drops across institutions, and estimating implementation costs and timetables.

In late September, the TACRAO SB 1231 committee submitted a set of comments on behalf of TACRAO to THECB requesting clarification of several items within the adopted rules<sup>9</sup>. Several institutions submitted separate comments as well<sup>10</sup>. As a result of these comments the rules adopted at the July board meeting of THECB were clarified, improved, and finally adopted at the October meeting of THECB<sup>11</sup>. A summary of comments submitted to THECB by TACRAO and all institutions, along with THECB response to these comments, is contained in Appendix H.

### **Summary of recommendations**

A substantial portion of implementation issues have been resolved through the process of the coordinating board writing and adopting rules for 51.907, collecting comments

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<sup>7</sup> See Appendix E - Memo from Joe Stafford to Chancellors, Presidents, and Chief Academic Officers

<sup>8</sup> See Appendix F - SB 1231 Committee

<sup>9</sup> See Appendix G - Comments on Chapter 4 rules on behalf of TACRAO

<sup>10</sup> See Appendix H - Agenda Item VII-I Adoption Rules Preamble

<sup>11</sup> See Appendix I - Chapter 4.10 & 4.11 rules limiting the number of courses that may be dropped

concerning those rules, modifying rules based on the comments, and responding to the comments on the rules. Some issues were not resolved through this process. THECB has indicated that institutions have sufficient leeway under the rules for institutional decision making on unresolved issues. In this document, TACRAO provides some factors that should be considered in institutional decision making and provides some recommendations. Recommendations made by TACRAO are clearly labeled as TACRAO recommendations.

It is critical to recognize that TACRAO has no authority over institutions in the matter of implementing the education code. However, the recommendations contained in this document should be given serious consideration because they have been developed in a systematic and cooperative effort with input from all TACRAO institutions affected by this statute and in cooperation with THECB staff.

The report of the subcommittee on "policy issues" provides a substantial portion of information needed by institutions for implementation of TEC 51.907. It contains a combination of information derived from the rules, comments on the rules, responses to the comments, and the collective thoughts of the TACRAO SB 1231 Implementation Committee. It includes definitions of courses affected, what constitutes a grade under this statute, definitions of drop versus withdrawal, considerations in determining how much documentation to require for a waiver of a drop and what might constitute "good cause" for not counting a drop toward the limit of courses dropped.

After reviewing and discussing the reports from the subcommittees working on the problem of how to track course drops between institutions, TACRAO recommends the use of a "course drop counter" on official transcripts. This is a recommendation that TACRAO considers essential for all institutions to adopt because it concerns the manner that data will be transmitted between institutions. Failure to use this methodology will restrict the ability of institutions to comply with the statute. The detail of this approach is contained in the report of the subcommittee on the "transcript course drop counter".

The possibility of communicating course drop information between institutions through use of a centralized data base was fully explored but rejected for the time being due to FERPA considerations, timing issues, and logistical challenges. It is possible that a centralized database approach will be revisited in the future. The report of the subcommittee on "the centralized database approach" to tracking drops contains the detail of options considered under this approach.

### **Required reading**

As a final note, the reader should not expect to find all the answers to their questions in a single portion of this document. We recommend reading the body of the report as well as of Appendices C, H and I. You will find information needed for implementation in each of these sections of the report.

## Report of the subcommittee on "policy issues"

### Subcommittee members:

Cathie Jackson (Chair) Associate Vice Chancellor for Student Development Services  
Tarrant County College District

Dennis McMillan Associate Vice President of Enrollment and Student Services  
University of Texas - Pan American

Van Miller Director of Admissions - Texarkana College

THECB staff liaisons Catherine Parsonneault, Phd. Program Director -- Instruction &  
Academic Affairs Unit Academic Affairs & Research Division  
Dr. Joe Stafford - Assistant Commissioner

Subcommittee Charge: Work with THECB staff to identify and resolve policy issues such as those listed in Joe Stafford's memo from THECB

### **Definitions and considerations:**

TEC 51.907 and the rules subsequently adopted by the THECB specified or implied definition of some of the following terms but left additional interpretation to institutions. The following TACRAO recommendations and considerations combine legislative definitions, THECB rules, comments to institutions on the rules, and traditional usage to give institutions additional information with which to derive contextual definitions consistent with their own institutional philosophy, compatible with the intent of the law, and capable of guiding both institutions and students through the detail of implementing TEC 51.907.

### **Courses affected**

In general, all undergraduate courses offered by an affected institution in the fall 2007 semester or later, taken and dropped by an affected student are to be included in the course drop limit. However, some courses are exempted under the existing rules. Numerous questions have been posed concerning whether certain types of courses, such as developmental courses and dual credit courses should be exempted from the course drop limit.

Through the process of writing rules for TEC 51.907, asking for comments from institutions concerning those rules, and responding to those comments, THECB has clarified a portion of the questions concerning affected courses. Specifically, as indicated in Appendix H,

- Courses taken by students while enrolled in high school– whether for dual credit, early college credit, or for college credit alone are not to be included in the course drop limit.
- For the purposes of TEC 51.907, the definition of an institution of higher education excludes courses dropped at private or out-of-State institutions from the course drop limit.

Not all pending issues were addressed by the rules writing process. In response to institutional comments on the rules, THECB indicated institutions had sufficient latitude to resolve issues under the existing rules.

The following recommendations and considerations are intended to provide guidance on the issue of what courses are subject to TEC 51.907. Issues not addressed in the statute, THECB rules, the comments on those rules or this document will need to be resolved by the institution within the context of its mission, its students, and the intent of the statute. The rules provide considerable latitude under the "other good cause as determined by the institution of higher education". These recommendations and considerations are designed to help institutions identify factors that might be considered in determining "good cause".

#### TACRAO Recommendations

We believe the intent of SB 1231 was to improve the time-to-degree for students in public institutions of higher education in Texas, and because THECB rules exist for other time-to-degree types of statutes, TACRAO recommends institutions apply the logic of these rules toward TEC 51.907. Specifically, we recommend the application of THECB Chapter 13.104 rules, concerning the repeated and excess hour statutes, be applied to the definition of affected courses for 51.907. Chapter 13.104 is particularly relevant with respect to the kinds of courses that are exempted from consideration in time-to-degree statutes. It reads:

#### **§13.104 Limitation on Formula Funding**

The following types of hours are exempt and are not subject to the limitation on formula funding set out in §13.103 of this title (relating to Limitation on Formula Funding for Excess Hours):

- (1) hours earned by the student before receiving a bachelor's degree that has been previously awarded to the student;
- (2) hours earned through examination or similar method without registering for a course;
- (3) hours from remedial and developmental courses, workforce education courses, or other courses that would not generate academic credit that could be applied to a degree at the institution if the course work is within the 27-hour limit at two-year colleges and the 18-hour limit at general academic institutions;
- (4) hours earned by the student at a private institution or an out-of-state institution; and
- (5) hours not eligible for formula funding.

In addition to the information above, institutions should consider the following:

#### Considerations:

- Although TEC 51.907 eliminates all courses taken through private, Out-of-State, and Out-of-Country institutions, this does not include all courses taken at a non-Texas location. Thus, a course recorded on a transcript by a Texas public institution but taken at an out of Texas location, or by distance learning by a student located outside of Texas, is an affected course.
- Institutions should address their treatment of courses included in Academic Fresh Start or similar institutional “forgiveness” programs. Because AFS generally affects courses taken many years earlier, institutions must decide whether an after-the-fact exception to the course drop limit will be granted for AFS affected courses.
- Both the legislation and THECB specify that for purposes of the drop limit, course/s comprised of a lecture and a required laboratory should be counted as one drop whether or not identified as separate courses or as separate sections of a course. Institutions shouldn’t overlook other co-requisite combinations whereby two courses must be taken at the same time, with both dropped if one must be dropped.

### **Institutions affected**

Texas public community colleges, technical institutes/colleges, health science institutions offering undergraduate course work, and universities must comply with the legislation.

### **Students affected**

Those who enroll as entering freshmen students or first-time-in-college (FTIC) students in undergraduate courses offered through an affected institution of higher education for the first time during the fall 2007 semester or any subsequent semester are subject to course drop limit restrictions.

### Considerations:

- As indicated in Appendix H, students who are enrolled in high school are not affected by the provisions of TEC 51.907. Any course dropped by a student enrolled in high school should not be counted toward the limit on dropped courses. A variety of terms are used to describe these programs and students in these programs, such as dual credit, Early College High School Grants, and so on. Regardless of the term used to describe the program or the student, the criteria used to determine if the course is exempt is whether the student is enrolled in high school and not yet graduated.
- As indicated in Appendix H, students who enrolled as "first time in college" students in a private or out-of-state institution in fall 2007 or a subsequent term come under the terms of the drop limitations only after they enroll in a Texas public institution; courses dropped at a private or out-of-state institution are not included in the drop limit.

### TACRAO Recommendation

- Similar to THECB Chapter 13.102 (8) and 13.104 (1) rules pertaining to excessive hours, students who have completed a baccalaureate degree at any recognized public or private institution are not considered affected students for

the purpose of TEC 51.907, whether or not taking additional undergraduate courses.

**Definition of a grade:**

For purposes of TEC 51.907, THECB has defined a “grade” as an indicator assigned on completion of an undergraduate course.

- “Grade” usually is a letter such as A, B, C, D, F, or P (for Pass)
- “Grade indicates that the student remained enrolled through the end of the semester and either successfully completed requirements of the course and is awarded credit, or did not successfully complete and will not be awarded credit.

A “grade” does not include symbols to indicate that the course was left incomplete, whether as (1) a negotiated temporary suspension of the end-of-term deadline, or (2) a Drop, or (3) a withdrawal from the institution.

Considerations:

- Punitive non-completion grades (such as WF) are specifically not included in this definition.
- It can be assumed that other end-of-term indicators – other than “P” – are implicitly included as “grades”, such as CR (for Credit) or NC (as a non-punitive No Credit failure).
- An incomplete grade (I) that automatically converts to a failing grade after a specified period should not be equated to a drop.

**Definitions of drop and withdrawal**

Any attempt to define and/or differentiate the terms “course drop” and “withdrawal” is inevitably problematic. The terms are variously used by institutions and are often used interchangeably.

**Dropped Course**

THECB has clarified the definition of a dropped course to exclude any reference to the add/drop period. A course drop is a credit course not completed by an undergraduate student who

- (1) Is enrolled at the Official Date of Record (ODR) in a course that is (or will be) recorded on the official transcript;
- (2) Will not receive a grade (as defined);
- (3) Will not incur an academic penalty; and
- (4) Does not withdraw from the institution by dropping all courses.

**Withdraw**

The definition/s of “withdraw from the institution” implies that the student drops all courses enrolled for the term.

### Considerations:

Each institution must determine what constitutes a complete withdrawal and specify such in policy and procedure.

- “Completely withdraw from the institution” connotes different things to different institutions. To some it means that all courses are dropped (one at a time or all at the same time); for others it specifies that the student will not be returning.
- Additional complications ensue when semesters may include mini-terms that are of varying lengths and differing beginning/ending dates that may or may not be contained within that semester.
- Further, for many institutions, the ability to differentiate between all of these will be more a product of the capability of their administrative computing system than of philosophy or preference.

### **Family member**

THECB has specified “family member” to include spouse, child, grandchild, father, mother, brother, sister, grandmother, grandfather, aunt, uncle, nephew, niece, first cousin, step-parent, step-child, or step-sibling.

### **Sufficiently close relationship**

THECB has defined this relationship to include a relative within the third degree of consanguinity plus close friends including but not limited to roommates, housemates, classmates, or others identified by the student and approved by the institution. The importance of a relationship is both highly individual and highly subjective.

### **Institutional policy and procedures**

TEC 51.907 and THECB regulations specify that institutions develop official policies and procedures for implementation, including legislated restrictions and exceptions, institutional definitions of critical terms, and the process and time line for requesting and receiving exceptions.

The institution’s policy and procedures must be included in appropriate print and electronic publications. The institution and its students share responsibility for compliance, but the institution must assure that sufficient action is taken to assure students’ awareness and understanding of their obligation under the law.

### **Institutional decisions**

In deriving its TEC 51.907 policy and procedures, each institution must examine several issues not specified by the legislation or the THECB regulations. In most instances, substantial discretion has been left to institutions; decisions should be made after considering a range of options, should reasonably support the goal of avoiding unnecessary course drops, and should reflect the institution’s established academic policies and philosophy.

It can be expected that there will be variations in policy and approach, but that all will have a justifiable basis. Cooperation across institutions will be essential and decisions made at one institution can not be reversed or reclassified by another institution.

### **Documentation issues**

Each institution must decide whether to require documentation before approving students' requests for exceptions to the drop limit. They may choose to accept students' self declaration of their reasons, may request documentation for some types of exceptions, or may request documentation for all.

#### For Example:

- School A may develop a form that calls for students to indicate the reason that they qualify for an exception. The form requires the student's affirmation of his eligibility and his signature. Supporting documentation isn't required.
- School B may have a similar form, but an after-the-fact audit requires a designated percentage of students to submit supporting documentation. Students are informed that they may be selected to provide documentation.
- School C may have a similar form, but designates the kind of documentation required for each type of exception and approves only documented requests.
- School D may require that each student requesting certain types of exceptions meet with a designated counselor or administrator to discuss the reasons for their request. Documentation may be required depending on the student's rationale.
- TACRAO Recommendation:  
These and other approaches are valid as long as procedures are consistently administered and periodically monitored to assess outcomes. Outcomes should reflect diminished numbers of dropped courses and increased levels of student course completions.

### **Unknown Transfer Course Drops**

Institutions must determine their policy and procedure for assessing transfer course drops when course drop status information is not available. There are numerous situations that may result in insufficient information.

- One or more transcripts may not be submitted prior to drop requests either because the receiving institution does not require all transcripts at or before initial enrollment or because "transient" status allows enrollment without transcripts.
- Not all institutions will be prepared to provide course drop status information as early as spring 2008 ODR, and some may not provide that information for many semesters beyond.
- Because course drop limit exceptions can be made well beyond the initial drop date, course drop status will not always be static.
- Students do not always report prior enrollment.
- TACRAO Recommendation:  
Each institution must decide whether to allow course drops prior to receipt of all transcripts and must determine what action will be taken when previously unknown course drops are discovered and/or when course drop status changes occur. These decisions should be included in institutional policy.

### **Institutional exceptions – “Other Good Cause”**

In addition to the reasons specified, TEC 51.907 allows institutions the prerogative to grant exceptions in other justifiable instances. It isn't possible to anticipate “good cause”, but several reasonable categories have emerged as arguably within this area of discretion.

Existing policy may sufficiently justify exceptions.

For instance, institutions which require certain levels of attendance, provide intervention if absences reach certain levels, and require administrative action if students fail to attend as required might choose to provide exceptions to students administratively withdrawn for excessive absences.

- TACRAO Recommendation:  
Institutions should not alter successful policies

Developmental courses can be interpreted to be outside the purview of TEC 51.907 because as pre-college level courses they do not provide undergraduate credit.

- TACRAO Recommendation:  
Developmental courses are appropriate exceptions to the drop limits.

Non-funded courses might be interpreted to be outside the purview of TEC 51.907.

Some are not reported for funding – such as non-course-based (as sometimes provided for external developmental studies); some fill a limited local niche (such as some religion courses and ROTC courses offered outside the approved curriculum); others are not eligible for funding – such as courses resulting in excess hours or excess repeats.

- TACRAO Recommendation:  
Non-funded courses are appropriate exceptions to the drop limits

Specific student situations also can be considered for exceptions. Over time, institutions can expect to encounter an assortment of unusual circumstances deserving consideration and will have to assess each on its own merits.

Only a few examples include:

- Student removal from class may occur if it is determined that an error was made in the academic assessment resulting in placement at a level too advanced or far below the student's ability.
- Student removal may be required to address a disciplinary issue or a difficult incompatibility between the student and instructor or between students.
- Highly individualized circumstances in a student's life, not covered by legislated exceptions, may be allowable. For instance, a student may become homeless after a financial set-back or natural disaster.

- Certain categories of students whose circumstances always involve challenges might be institutionally defined as exceptions; for example, ESL students, and certain disabled students.
- TACRAO Recommendations:  
Each institution must assess each individual circumstance on its own merits, considering students' personal and academic history and course drop history.

## Report of the subcommittee on the "Transcript Course Drop Counter" approach to tracking drops

### Subcommittee Members

Wanda Simpson (Chair)	Associate Dean of Enrollment Services San Jacinto College North
Venesa Flores	Associate Registrar Texas A & M University - College Station
Dennis McMillan	Associate Vice President of Enrollment and Student Services University of Texas - Pan American
Steve Bazan	Systems Support Analyst - Registrars Office Texas State University-San Marcos

Subcommittee Charge: To evaluate and articulate the use of a “course drop counter” on transcripts to track courses dropped across institutions.

Because TEC 51.907 limits an undergraduate student to a total of six course drops during their college career, and these six drops are accumulated at all public colleges and universities in Texas, it is critical that the number of course drops for each student at each affected institution be somehow made available to institutions. After substantial discussion regarding possible methods to communicate SB 1231 information to or between institutions, two approaches emerged as possibilities. Both require significant effort and resources to track course drops within and across institutions.

One of these approaches, labeled as a "transcript course drop counter", requires each institution subject to SB 1231 to identify the number of applicable course drops each student has acquired at that institution and post that number to the official transcript for that student. There are advantages to this approach.

Primarily, it saves the receiving institution from reviewing the incoming transcript on a course by course basis to determine how many SB 1231 drops have been acquired by a student at a particular institution. A course by course review of the transcript, aside from being extremely resource intensive, is virtually unworkable since interpreting the transcript would require knowledge that is only available to the institution assigning the grade. Furthermore, the process of arriving at the total number of SB 1231 drops for a student is expedited by combining transcript course drop counters from institutions. And, in a small percentage of institutions, this process could be automated.

However, there are difficulties inherent in the transcript course drop counter approach that stem from issues related to sending, receiving, and evaluating transcripts in a timely fashion. The speed and efficiency with which transcript requests are received and processed vary from institution to institution as well as the speed and efficiency with which transcripts are processed by the receiving institution.

Other factors also may have an impact on timing. Policies that do not require transcripts prior to enrollment at open enrollment institutions, students who may drop a course at

more than one institution during a single semester, and transient students that are not normally required to supply transcripts will impact institutions ability to comply with TEC 51.907.

For example, if the student is not a degree seeking student, community colleges normally do not require transcripts from all colleges attended by that student. Some require a transcript from the last college attended or will accept a transcript from any college attended as a basis of admission. Supplying a transcript from every college attended for an adult who is coming back to an institution to supplement job skills could have a significant cost to the student and result in significant delays to the enrollment of the student due to difficulties in obtaining transcripts in a timely fashion. Aside from the obvious timing issues, there could be unintended consequences to the educational needs of the student. Institutions should use their best judgment to find a balance between the intent of SB 1231, the educational interests of the student and the policies of the institution.

The difficulties mentioned above do not render a transcript drop counter unworkable as an approach to implementation but they do prevent this approach from being ideal or perfect and will result in some margin of error in enforcing TEC 51.907.

### **What is a transcript course drop counter and how will it work?**

- The transcript course drop counter is an entry posted on each student's official transcript that reads - TEC 51.907 Undergraduate Course Drop Counter – 1
  - The last character in the entry will indicate the status of the student with respect to TEC 51.907. It is a single character entry with one of the following values:
    - X - If the student is exempt from TEC 51.907
    - N - If an institution has yet to develop the mechanisms to report the number of courses dropped under TEC 51.907
    - A single digit from zero to six (0 - 6) to indicate the number of course drops at that institution that count toward TEC 51.907.
  - This entry will appear in the same general area of the transcript where other state mandated initiatives, such as the Texas Success Initiative and Core Curriculum information, currently appear on transcripts for public institutions of higher education in Texas.
  - The course drop counter will include only the courses dropped at that institution. No courses dropped at other institutions will be included in a transcript course drop counter.

- The course drop counter will not identify which drops on the transcript are being included in the count. Although there would be some utility in identifying which dropped courses were included in the course drop counter, there is no statutory requirement to do so. And, there are potentially negative implications to the student of identifying drops that may be related to non academic circumstances.
- The course drop counter applies only to TEC 51.907 drops. However, more restrictive institutional policies pertaining to drops may affect the number of drops a student can obtain at an institution and therefore affect the number of drops in the transcript drop counter. For example, although a student is entitled to six drops across institutions under TEC 51.907, an institution may limit the student to three drops at that institution. In that case, the maximum number that could appear in drop counter on the transcript at that institution for an individual student would be three.
- TACRAO recommends that transcripts do not identify which dropped courses are included in the drop counter. If necessary, student inquiries regarding the number of drops identified in the counter may need to be addressed to the sending institution. Although it is possible to list or mark which courses are included in the transcript drop counter, it is not required and it may reveal information about the student that could have negative implications.

### **What is involved in implementing a transcript course drop counter?**

- Institutions will have to develop their own internal methods to identify which dropped courses should be included in the course drop counter and how to integrate this knowledge into drop processes. The ability to track the number of drops for a student within an institution and in combination with drops at other institutions is a significant logistical challenge and commitment of resources. It will require staff training, computer programming, notification to students, and a modification of drop processes to accommodate the additional steps involved in determining whether a student who requests a drop is eligible to drop the course.
  - Computer Programming will be time consuming and expensive because:
    - Software vendors will need to develop a common method for their user institutions to manage the drops and the course drop counter. Specifications must be developed and implemented for all of a variety of computer systems and institutional cultures. And, final decisions regarding enforcement and tracking must be clearly defined.

- Multiple computer programs will be impacted at every institution, such as grade entry, grade change, drop transactions, withdrawal, transcript production, SPEEDE, and transfer evaluation.
    - No funding was attached to this bill and there will be resource allocation decisions that must be made at institutions concerning priorities for this project.
  - It is estimated by institutional representatives that this programming, development, testing, and implementation process will take from six to twelve months to complete at most institutions.
  - Until these computerized management pieces are in place, full compliance with TEC 51.907 is not a realistic possibility.
  - Without computer support, manual processes must be put in place which will create a staffing burden that institutions are not prepared to shoulder.
- A majority of transcripts sent between institutions in Texas are sent electronically via the Texas SPEEDE data transfer system. This system will need to be configured to accommodate data fields for the transcript course drop counter to be transmitted electronically. After consultation with the TACRAO technology group, it is believed that coding to include a course drop counter in the electronic transcript format can be accomplished in a fashion similar to the Texas Success Initiative and The Core Curriculum protocols.<sup>12</sup> Once the format specifications are developed, institutions will need to program these modifications into their software and their transcript procedures.
- Development, implementation and testing of this Texas SPEEDE upgrade are estimated to take an institution approximately 100 hours. See Appendix J for more information regarding the implementation of TEC 51.907 in electronic transcripts.
- Enforcement of the six-drop limit via a transcript course drop counter will require that all institutions review all official transcripts of students from all Texas public colleges and universities prior to enrollment or prior to the drop period for the term to evaluate the student's drop-limit status.
  - Colleges who operate under an open enrollment model have historically not required all transcripts prior to enrollment. In order to enforce the six-drop limit, all transcripts must be received and reviewed for the course drop limit prior to enrollment, which will require additional staffing and

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<sup>12</sup> See Appendix J- Implementing SB 1231 in Electronic Transcripts

could have a negative impact on a student's ability to enroll for classes. While every effort should be made to collect and review transcripts in a timely manner, TACRAO does not recommend that students be denied admission or enrollment for failure to produce a transcript in a timely manner during their first semester at the institution.

- Many institutions are now utilizing many parts of term that are less than the standard 16-weeks format which means a drop period may occur three to four weeks within the term and for those institutions, the review must take place very early. While every effort should be made to collect and review transcripts in a timely manner, TACRAO does not recommend that students be denied admission or enrollment for failure to produce a transcript in a timely manner during their first semester at the institution.

## Report of subcommittee on "the centralized database approach" to tracking course drops

### Subcommittee Members

Lynn McCreary (Chair)	Registrar, University of North Texas
Debra Goode	Registrar, University of Texas Health Science Center - San Antonio
Dennis McMillan	Associate Vice President of Enrollment and Student Services University of Texas - Pan American
Jamie Templeton	Program Manager - Information Technology Dallas County Community College District
THECB Liaison	Janet Beinke - Director Planning and Think Tank

Subcommittee Charge: To evaluate, articulate, and estimate costs of creating a centralized database administered by THECB that utilizes the CBM reporting series to report course drops and provides the information needed by institutions to track course drops across institutions.

Common Elements of all options considered below:

1. The Higher Education Coordinating Board (THECB) will support a centralized database that stores TEC 51.907 drop information by student, term and institution. The database will be made accessible to institutions as allowed by FERPA.
2. When the database is available to populate with data, each institution will submit a report to supply TEC 51.907 drop information on their undergraduate students.
3. FERPA guidelines must be determined to establish the level of detail that can be released to an institution without obtaining the student's consent. The database is a viable option only if the institution can retrieve necessary information. The assumption is made in these options that it will be permissible, at a minimum, for THECB to confirm, without student release:
  - a. If the student is over the 6 course drop limit.
  - b. If the student has incurred a course drop from an institution other than the requesting institution.
4. Methodology must be developed to support
  - a. Uniform and timely submission of course drop information by institutions to THECB database.
  - b. A uniform and timely method for an institution to retrieve current TEC 51.907 from THECB database to insure compliance with the law.
  - c. A uniform and timely method for submission of student authorization for release of records to THECB.

## 5. Discussion:

The options detailed in this report include some specifics relevant to the timing issues the option being discussed. However, some comments concerning the general nature of reporting would seem appropriate to provide the reader with background for considering the options listed.

To achieve timely submission and retrieval of drop information, significant changes in current reporting practices would need to be implemented. The information needed to comply with TEC 51.907 would need to be posted to a centralized database in a fashion here-to-fore unachievable by institutions and THECB. Consider the following information.

At present, the End of Term CBM reports are submitted on the following schedule:

Fall Reports: February 1  
Spring Reports: June 15  
Summer Reports: October 1

Once these reports are submitted, they are processing by THECB, error reports are generated and returned to institutions that correct and resubmit reports until a "certified" report is produced for the institution. These processes take time and depend on both institutional resources and THECB resources being available for processing.

The current practice is for THECB to wait until CBM reports for all institutions are certified as accurate for a semester before including the data in databases. As a result of the sheer volume of effort, available resources and operating procedures, accurate data are unavailable for use in centralized databases for significant periods of time after report submission dates.

The latest centralized database that aggregates data across Texas institutions is the "Hazelwood Online" database. Although it has been in operation for about a year and still being refined, there are significant limitations to that database. For example, an institution cannot access a Hazelwood student record until after the student has enrolled at the institution, the institution has submitted CBM reports for the semester, the data has been certified and posted to the database. As of October 18, 2007, fall 2006 data was the latest data available in the Hazelwood database. If this is any indication of what is to be expected, there are obvious shortcomings with applying this approach to TEC 51.907.

Assuming the data were in a centralized data base and available for institutions to access, the matter of timely access for institutional personnel processing course drop requests will be an issue. Using the Hazelwood

database as a benchmark, institutions are allocated a number of logins to the online database, currently limited to six. A small number of institutional personnel can obtain access to records on a student by student basis. That number is kept small for security purposes and it works well because all institutions have a relatively small Hazelwood population that can be processed within a single office. Theoretically, the Hazelwood model of data retrieval would scale well for TEC 51.907. However, this approach would require a larger number of logins per institutions to accommodate current drop practices.

Most institutions of any size employ a distributive model for approval and processing of course drops. Whether these models are intended to accommodate students within departments, colleges, multi-campus institutions, satellite locations, or other situations, a small number of logins would most likely require the majority of institutions to modify course drop procedures and would result in less efficient and less convenient course drop processes.

In addition, some institutions provide students with an online capability to drop courses during portions of the semester. These systems would need to be modified, shut down, or drop policies altered to accommodate TEC 51.907.

Another significant issue pertaining to centralized data bases stems from the Family Educational Right and Privacy Act. Some years ago the legislature enacted statutes pertaining to "excessive undergraduate hours", commonly known as the 45 hour rule, later reduced to the 30 hour rule. This law resulted in the first instance of a need to track information across institutions and to communicate that information to the institution where the student was currently enrolled. In constructing this database, the Department of Education's Family Policy Compliance Office, who administers FERPA, was asked if information concerning the number of hours a student had taken at all Texas institutions could be shared between institutions without the student's permission, generally referred to as "re-disclosure". The FPCO ruled that information from the centralized database could not be re-disclosed.

As a result, the centralized database used to track excessive hours is used to warn institutions that a student is nearing their limit of hours. The institution does not have access to the actual number of hours the student has accumulated toward the limit. To gain access to the information in the centralized data base for excessive undergraduate hours, the institution must obtain a written release from the student, fax it to THECB staff, who then runs a computer program to generate an electronic file which is then placed in the institution's electronic folder. Although this methodology is cumbersome, it works because the volume of these incidents is relatively low. It would not scale well if it were applied to TEC 51.907.

In summary, the likelihood of a centralized database providing timely and accurate information for compliance with TEC 51.907 is small given our current reporting structures, resources, and FERPA limitations. Significant modification to current reporting timelines and structures would be required to support an effective and timely database. The creation and ongoing support of this database would require a significant allocation of resources from the Coordinating Board, both to support database access for each school and to provide timely information back to institutions.

What follows is an explanation of the options that were considered in formulating our opinions on this matter.

**Option 1: CBM 002 as the update document for the CB database.**

**Proposal:** Add a field to the existing CBM 002 that allows the institution to report the number of drop(s) - to be counted toward TEC 51.907 for the student for the semester. Use the information on the CBM 002 to populate the common database.

Discussion:

1. Of the options presented, this option appears to provide the least invasive programming solution. The report already includes all undergraduates for the institution and just requires adding an additional field.

The CBM 002 will not facilitate having accurate data on drops in a timely fashion.

2. A review of the reporting status of the CBM 002 report for summer 2007 semester showed that of 105 institutions who had submitted reports, only 51 had completed the error correction process and were certified as completed. Since students begin dropping courses shortly after the census date, the database would not be updated until a point in time after some of these drops had occurred in the current semester.
3. The CBM 002 is a complicated report and an earlier reporting deadline would not be reasonable for most institutions

**Option 2: CBM-00D – interactive solution:**

**Proposal:**

1. Create a CBM 00D database that is continually updated by institutions as drops occur during the semester.  
THECB will create and support a web interface (similar to that used for Hazelwood SCH ) to allow:
  - a. Institutions to query the database using an SSN, name of student, or an institutional identifier. Students who are first time students or students who have never dropped a class may not exist in the database.
    - i. If the record exists:

1. The database replies with the number of courses previously dropped by that student at all public institutions in Texas
2. The institution verifies that the intended drop is allowable under the 6-drop rule, proceeds with processing the drop within the institution, and submits CBM-00D record (online update) to record the drop within the database.
  - ii. If the record does not exist, the institution adds this student to the database and updates the drop information for that student
- b. Institutions will have the capability to make corrections to the information they submit. Corrections will be necessary due to a variety of circumstances such as an error or a change in the student's enrollment status. This will be particularly important if the student withdraws for the semester and drops submitted for the current semester become part of a complete withdrawal. Since withdrawals are excluded under TEC 51.907, an institution would be allowed to submit a correction to the database. These corrections would be updated by the institutions online as necessary.
2. Disputes over the number of drops are reviewed only after the student signs a release form allowing the institution to access a second screen that gives additional information concerning the number of courses previously dropped by the student. This screen will show the detail of the student's drop history as recorded in the database.
3. **Content of CBM-00D Record**
  - i. Institution FICE
  - ii. Student SSN
  - iii. Last name
  - iv. First name
  - v. Middle initial
  - vi. Date of Birth
  - vii. Gender
  - viii. Student FERPA Release of information.
  - ix. Optional institutional assigned student ID
  - x. Semester and Year
  - xi. Course information including subject, course number and section, as reported on the CBM004.

Discussion:

- 1) This option provides a method for capturing current information across institutions on a daily, real time basis and addresses the issue of students who are enrolled in more than one institution for a given semester. The general counsel for THECB has indicated that addressing the issue of dual enrollment is necessary for compliance.
- 2) This option assumes that each institution will uniformly incorporate real time data entry to the CBM 00D database with their current drop process. Each institution will have to assess what impact this has on their current drop procedures

- 3) Potential implications:
- a) Processing every drop in real time involves considerable overhead to THECB and the institution.
  - b) The institution would be required to update the database
    - At the time of the drop.
    - For students who later withdraw from the institution.
    - Following an institution's determination that an original drop was "for cause".
- 4) Since this proposal calls for online, real time updating, there is no final certification of data and no point in time verification that the data is complete. It leaves a significant margin for error.

**Option 3: CBM-00D – End of semester report solution:**

**Proposal:**

1. THECB will create and maintain a CBM 00D database. The database will be updated by an End of Term CBM 00D report from each institution. The report will include information on students who dropped courses which must be included in the six drop limit.
  - a. The report would have the following approximate deadlines:
    - i. Fall Report: January 2
    - ii. Spring Report: May 31
    - iii. Summer Report: August 31
  - b. If the institution's end of term fell after the specified date, the reporting date becomes end of term plus a week. The intent is that there is reasonable expectation that the required information will be available and timely for the following term.
2. THECB will create and support two methods of *retrieving* student information by an institution:
  - a. A web interface requiring an institution login
    - i. The institution provides the student SSN, institutional identifier, or name and the number of drops requested by the student.
      1. If a record exists for the student, the system replies with the number of courses previously dropped (if allowed by FERPA) or
      2. A response indicating if drops are allowed for that student. or
      3. If the student has granted release to the institution, the system displays all the drop information.
  - b. An institution can provide THECB an electronic file of student id's (ssn). THECB will respond by providing the institution a file (in .csv format) of the drop information for those students.

3. Disputes over the number of drops are reviewed after the student submits the release allowing the institution to access the drop info.
4. **Content of CBM-00D Record**
  - i. Institution FICE
  - ii. Student SSN
  - iii. Last name
  - iv. First name
  - v. Middle initial
  - vi. Date of Birth
  - vii. Gender
  - viii. Student FERPA Release of information.
  - ix. Optional institutional assigned student ID
  - x. Semester and Year
  - xi. Date of drop
  - xii. Course information including subject, course number and section, as reported on the CBM004.

## **Discussion**

1. The reporting requirement for this solution is fairly straightforward. Reporting this information once a semester does not inflict the overhead of the interactive reporting method.
2. Have we obtained a commitment from THECB that they can process these reports and have the information available to institutions in time for the census date or normal semesters? This would also require the cooperation of institutions in timely submission and certification of the report.
3. This option takes advantage of the CB reporting structure to insure accuracy and compliance from all institutions.
4. This option programmatically supports situations where a student attends one institution at a time. For most cases, the CBM 00D information will be available for the prior term by the census date of the current term. When this does not happen (perhaps in mini mesters, institutions could develop procedures to cover the exceptions.)
5. This option does not programmatically address the issue when student are enrolled at two institutions simultaneously. It is reasonable to expect that institutions can handle these cases procedurally. For example, an institution can indicate that the student must indicate concurrent enrollment status at the time of the drop and verify his/her drop status.
6. Uniform and timely access to THECB information by the student *and* the institution is critical. This requirement has an immediate effect on the student GPA and academic status.

7. An online solution to this issue requires a significant allocation of resources by the Coordinating Board.

## Appendix A

### Background Information for HB 116 - 80th Legislature

Provided by the Texas Association of Collegiate Registrars and Admissions Officers  
<http://www.tacrao.org>

HB 116 - relating to limitations on the number of courses that students may drop under certain circumstances at public institutions of higher education

#### Existing State Regulations that deter drops and withdrawals

- The "three-peat" rule that eliminates state funding for the third time a student takes a state funded course gives institutions a big incentive to get students to complete courses or to pass on the lost funding cost to the non-completing student. So, the state has already made a strong statement in this regard. Some institutions are charging up to out-of-state tuition for those courses taken a third and more times.
- The 45hr/30hr rule is another "time to degree" rule that is already in place to encourage students to graduate in an efficient manner. It removes funding from institutions for any semester credit hours in excess of 30 hours (45 in some cases) above the number of hours required for the degree. It also enables institutions to charge resident students at out of state rates in these situations.

#### General Information on Adds, Drops, Withdrawals, and how they impact institutions and students...

- Drops occur before and after the census date
- Prior to the semester-  
Students are allowed to register, add, and drop classes while deciding on their final schedule for the semester.
- 1st - 4th (or 5th) class days of fall or spring semesters-  
After the semester begins, colleges allow a short window of enrollment generally referred to as "late registration" during which, students are allowed to continue adding and dropping. There is generally no financial impact to the institution or the student. There is no entry on the student's transcript for drops prior to the census date. This is a period of intense activity as the semester begins and students make final decisions pertaining to their schedule.
- 5 -12th class days of fall or spring semesters  
Add activity is basically finished. Sound pedagogy dictates that late entry into classes diminishes the students' chance of success. Although most institutions allow some adds to occur it is on a restricted basis. Drop activity continues.
- Census date occurs. The census date for fall or spring semester is normally the 12th class day and the 4th class day in summer sessions. This date establishes:
  - The enrollment reported to the Coordinating Board for funding purposes
  - The courses that will be recorded on the student's transcript
- A drop that occurs after the census date for the semester is generally referred to as a "Q" drop, although different terminology is used in a significant number of institutions. These drops have the following characteristics:
  - The drop results in a grade on the student's transcript

- The drop has no impact on state funding for the institution because enrollment for funding was established at the time of the census date. The census date is a "snapshot in time" of the enrollment.
- Students have paid tuition for these courses and receive no refund for "Q" drops, **unless they are enrolled at a community college**, in which case a different scale applies, as noted in the section "For Public Community/Junior and Technical Colleges"

Note: Students and institutions try to avoid "Q" drops.

### General Information on Withdrawals

- A withdrawal is different than a drop. A withdrawal means a student withdraws from all courses and the institution, while a drop means a student drops a course or courses. If a drop is the only course taken it is considered a withdrawal.
- A withdrawal can occur before or after the census date
- A withdrawal after the census date results in grades appearing on the transcript for all courses. The normal symbol used is a "W".
- A withdrawal after the census date does not impact funding for the institution.
- A withdrawal entitles a student to a refund of tuition according to a state regulated schedule as follows:

- **For Colleges and Universities:**

- Prior to the first class day 100%
- First five class days 80%
- Second five class days 70%
- Third five class days 50%
- Fourth five class days 25%
- After fourth five class days 0%

- **For Public Community/Junior and Technical Colleges**

**Note: these rules entitle students to refunds for drops as well as withdrawals**

- THECB rule 21.5 Refund of Tuition and Fees at Public Community/Junior and Technical Colleges says A community/junior or technical college, as soon as practicable, shall at a minimum refund mandatory fees and tuition in excess of the minimum tuition collected for courses from which the **students drop or withdraw**,
- Prior to the first class day 100% refund
- During first 15 class days 70% refund
- During 16th-20th class days 25% refund
- After 20th class day 0% refund

### Institutional Practices on "Q" drops

The following information was collected via the Texas Association of Collegiate Registrars and Admissions Officers (TACRAO) List-serve on February 22-23, 2007. TACRAO membership includes almost all institutions of higher education in Texas, both public and private. Information on TACRAO is available at <http://www.tacrao.org>

#### ***Institutions with no policy restricting the number of "Q" drops***

- University of North Texas
- Texas State University- San Marcos
- Texas A&M University at Texarkana
- Texas A&M University at Corpus Christi
- Texas A&M-Commerce
- Texas A&M Health Science Center in College Station
- University of Texas at Austin
- University of Texas Pan American

- University of Texas at El Paso
- University of Texas at Permian Basin
- University of Texas at Brownsville
- University of Texas at El Paso
- University of Texas at Arlington
- UT Health Science Center at San Antonio
- Midwestern State University
- Angelo State University
- Lamar State College - Port Arthur
- Lamar State College-Orange
- Texas Woman's University
- Houston Community College
- Austin Community College
- Blinn College
- Paris Junior College
- Midland College
- Navarro College
- Panola College
- Brazosport College
- College of the Mainland
- Texarkana College
- Kilgore College
- Lee College
- Wharton County Junior College
- Alvin CC
- Hardin-Simmons University
- Amarillo College
- Collin County Community College
- Weatherford College
- Vernon College
- Del Mar College
- South Plains College
- Coastal Bend College
- Northeast Texas Community College
- Grayson County College
- Clarendon College
- Dallas County Community College District

**Institutions with a policy restricting the number of "Q" drops**

- Tarleton State University (limit of 6)
- Texas A&M University - College Station (limit of 3)
- Texas Tech University - Lubbock (limit of 3 or 4 depending on mode of entry)
- Tyler Junior College - currently developing on a policy
- Sam Houston State University (limit of 5)

No effort was made to collect data from these institutions pertaining to the effectiveness of these policies. In the case of Texas Tech and Sam Houston, these policies were implemented in 2004.

## Appendix B

Representative Brown,

I write in reference to HB 116. I serve as the chair of the legislative issues committee for The Texas Association of Collegiate Registrars and Admissions Officers (TACRAO). <http://www.tacrao.org> We are in our 86<sup>th</sup> year as an organization and our membership includes virtually all institutions of higher education in Texas, whether they are public, private, community colleges, four year general academic institutions, medical schools or law schools. Our members are directly involved in administering higher education in terms of admissions, registration, and academic policy. And, we are on the front lines of this effort.

Our primary legislative activity is to serve as a resource to policy makers in the hopes of improving higher education in Texas. We do not have a policy agenda.

HB 116 contains a number of items that are of concern to a substantial proportion of our membership. These concerns were voiced in response to an inquiry posted to our list serve about HB 116: I have tried to summarize those concerns here and am willing to provide more detail if needed. Generally our concerns include the following points:

- Tracking drops across institutions is problematic
- Unintended consequences to students
- Limited impact on institutional revenues
- Limited impact on increased efficiency

### **Tracking drops across institutions is problematic.**

Except as provided under rules adopted under Subsection (d), an institution of higher education may not permit a student to drop more than three courses, including any course a transfer student has dropped at another institution of higher education, under circumstances described by Subsection (b).

Although I understand the number of drops allowed may be amended to six, the wording of the bill implies that Texas higher education institutions will need to review transcripts for all courses that:

- Are from any institution of higher education, regardless of whether it is located in another state or country, or in Texas
- Make a determination about the grade symbol on the transcript as to whether or not it meets the criteria set forth in this bill including:
  - Determining whether the drop on the transcript was given as an exception to HB 116 rule and therefore should not be counted in the total number of drops allowed. This will be impossible to determine

from a transcript unless every institution in Texas modifies their grading system to reflect a drop given as an exception to HB 116.

- Was the course a drop and not a withdrawal (some institutions use the same symbol for both, the only difference being a withdrawal results in "W"s in all the courses for that semester. Dropping all courses sequentially would look no different on the transcript than withdrawing from all courses.
- Establish a means of maintaining a count of dropped courses that is constantly updated as students do summer work
- Modify automated transcript evaluation routines that ignore non grade symbols, such as "W" or "Q" so that they recognize these symbols, correctly interpret these symbols, and add them to a running total for the student. This is a significant software modification in view of the fact that most institutions use Student Information Systems that are purchased and therefore will require modifications by the vendor.
- Open admission schools admit and register students without transcripts from prior schools. These schools may receive transfer transcripts well after the student has enrolled and paid their tuition. In some cases, it could be after the semester is over. In this scenario, the proposed legislation could not be enforced.
- As noted below, there are some institutions in Texas that have policies in place to limit drops. However, these institutions have also voiced concern about tracking drops from other institutions and combining the information with their own to enforce a limit on drops.

### **Unintended Consequences to Students**

Texas A&M and Texas Tech currently have policies that limit the number of drops and reports are that these policies work well at those institutions, although it is really too early to tell at Texas Tech since their policy was implemented in 2004. In addition, the University of Houston is in the process of modifying its' drop policy and advising program to advise students not to take courses unless they plan to complete them. In addition, there are some data from the Department of Education to support the basic premises that lowered drop rates improve graduation rates. See <http://www.ed.gov/rschstat/research/pubs/toolboxrevisit/index.html>)

Most institutions in Texas do not have a policy limiting drops after the census date of a semester. The diversity of missions, service populations, and character of institution dramatically impacts the performance and culture of each institution. Since more than half of all students in higher education in Texas are enrolled at community colleges, the potential impact of this bill on that population should be considered. One perspective of that impact was summarized in a passionate email posted to the TACRAO list-serve by one of our members who has worked at a large urban community college system for more than thirty years.

“It’s well past time for legislators (and others) to realize that huge numbers of students today are adults with many conflicting priorities. They recognize only 18-22 year olds

who leave high school for full-time, dormitory-based college studies. They don't seem to recognize that thousands are juggling jobs, families, community activities, and classes. Most often their drop has nothing to do with lack of effort or desire, with partying, or with sophomore malaise.

They have unexpected shift changes, over-time demands, the unanticipated need for second jobs, marital problems, family sickness, recalcitrant teenagers, civic projects and/or many other things that can throw a crowded schedule into turmoil. Some semesters go smoothly and they complete their one, two, or even more courses. Others can quite suddenly go awry leaving them with the choice of dropping or failing. College can't always be their first priority, but it is a priority and many of them persist and succeed.

Then, of course, there are those under-prepared students. Many are quite bright, but it often takes them longer to digest complex concepts. The first attempt at Physics or Accounting is a muddy mystery, but the second time gives them the edge needed to succeed, but this bill means three strikes and then they will fast slide toward academic suspension.

Unfortunately, non-traditional students have too many variables to fit into neat molds so it's easier to assume that they don't exist or that the impact of HB116 will be right for them too. Unfortunately, this bill will inordinately penalize them and, for many, it will mean giving up entirely. It's particularly interesting that the bill analysis notes that this effort is directed toward those colleges that offer open enrollment – the very ones of us who are expected to carry the torch to educate the most educationally and economically disadvantaged.

It's also interesting that in this era of Closing the Gaps, we are dealing with legislation that will make it even more difficult to change the lives of those who most need more education if they are ever to escape their under class heritage. Legislators prefer to think in terms traditional students; they are neater. They don't drop in and drop out. They don't have a good excuse to stretch their education over many, many years. They can be expected to graduate according to schedule or at least at the 1.5 rate. They respond well to simplistic solutions. Non-traditional student don't."

### **Limited Impact on Institutional Revenues**

The policy analysis posted on the committee substitute of the bill indicated the following:

"Not only does the institution of higher education lose revenue due to the issuance of refunds, but countless students who could have successfully completed these courses miss out on the opportunity to do so due to a lack of available spots."

C.S.H.B. 116 provides that an institution of higher education may not permit an undergraduate student to drop more than three courses at that institution if the

student was able to drop the course without receiving a grade or incurring an academic penalty, and if the student's transcript indicates or will indicate that the student was enrolled in the course."

Based on this policy analysis, our membership is assuming that revenue loss to institutions is part of the reason for this bill. However, in the opinion of our membership, most drops that occur after the census date also occur after the refund period is over. Although a small portion of students drop a course early in the semester, our membership is almost unanimous in their opinion that this bill will not have much impact to the institution in terms of reducing refunds to students for dropped courses.

In the current environment of higher education, increasing the efficiency of our system is on the minds of taxpayers, legislators, administrators, and students. In view of the cost of higher education and the incentives that are already in place one wonders what kind of a difference HB 116 would make in getting people educated as efficiently as possible. The loss of tuition, the lack of academic progress, wasted effort are all consequences of dropping a course that would certainly appear to be greater incentives to students than a legislated requirement that says you simply can't drop more than x number of times. Assuming THCB established a set of rules that would allow exemptions that include medical conditions, students faced with fabricating a medical condition or receiving a failing grade would be tempted to fabricate a condition that met the exemption qualification. Our membership does not see a substantial increase of efficiency resulting from HB 116.

We hope you will consider these comments in the helpful spirit in which they were intended. We realize that you are motivated to improve our educational system and we applaud your efforts. If we can be of service in trying to solve problems please feel free to call on us or have your staff do so.

Mike Allen - Chairperson  
TACRAO Legislative Issues Committee

# Appendix C

S.B. No. 1231

## AN ACT

relating to dropping courses and student withdrawals at institutions of higher education, including the refunding of tuition and mandatory fees.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter Z, Chapter 51, Education Code, is amended by adding Section 51.907 to read as follows:

Sec. 51.907. LIMITATIONS ON NUMBER OF COURSES THAT MAY BE DROPPED UNDER CERTAIN CIRCUMSTANCES. (a) In this section, "governing board" and "institution of higher education" have the meanings assigned by Section 61.003.

(b) This section applies only to an undergraduate student who drops a course at an institution of higher education and only if:

(1) the student was able to drop the course without receiving a grade or incurring an academic penalty;

(2) the student's transcript indicates or will indicate that the student was enrolled in the course; and

(3) the student is not dropping the course in order to withdraw from the institution.

(c) Except as provided under rules adopted under Subsection (d), an institution of higher education may not permit a student to drop more than six courses, including any course a transfer student has dropped at another institution of higher education, under circumstances described by Subsection (b).

(d) The governing board of an institution of higher education may adopt a policy under which the maximum number of courses a student is permitted to drop under circumstances described by Subsection (b) is less than the maximum number of courses that a student may drop under Subsection (c).

(e) The Texas Higher Education Coordinating Board shall adopt rules under which an institution of higher education shall permit a student to drop more courses under circumstances described by Subsection (b) than the number of courses permitted to be dropped under Subsection (c) or under a policy adopted under Subsection (d) if the student shows good cause for dropping more than that number, including a showing of:

(1) a severe illness or other debilitating condition that affects the student's ability to satisfactorily complete a course;

(2) the student's responsibility for the care of a sick, injured, or needy person if the provision of care affects the student's ability to satisfactorily complete a course;

(3) the death of a person who:

(A) is considered to be a member of the student's family under a rule adopted under this subsection for purposes of this subdivision; or

(B) is otherwise considered to have a sufficiently close relationship to the student under a rule adopted under this subsection that the person's death is considered to be a showing of good cause; or

(4) the active duty service as a member of the Texas National Guard or the armed forces of the United States of:

(A) the student; or

(B) a person who is considered to be a member of the student's family under a rule adopted under this subsection for purposes of this subdivision.

(f) In determining the number of courses dropped by a student for purposes of this section, a course, such as a laboratory or discussion course, in which a student is enrolled concurrently with a lecture course is not considered to be a course separate from the lecture course if:

(1) concurrent enrollment in both courses is required; and

(2) in dropping the lecture course, the student would be required to drop the laboratory, discussion, or other course in which the student is concurrently enrolled.

SECTION 2. The heading to Section 54.006, Education Code, is amended to read as follows:

Sec. 54.006. REFUND OR ADJUSTMENT OF TUITION AND MANDATORY FEES FOR DROPPED COURSES AND STUDENT WITHDRAWALS.

SECTION 3. Section 54.006, Education Code, is amended by amending Subsections (a), (b), (c), and (e) and adding Subsections (a-1), (b-1), and (b-2) to read as follows:

(a) A general academic teaching institution or medical and dental unit, as soon as practicable, shall refund the amount of ~~[fees and]~~ tuition and mandatory fees ~~[in excess of the minimum tuition]~~ collected for courses from which students drop within the first 12 days of a fall or spring semester or a summer term of 10 weeks or longer, within the first four days of a ~~[summer]~~ term or session of more than five weeks but less than 10 weeks, or within the period specified by the institution for that purpose for a term or session of five weeks or less that is substantially proportional to the period specified by this subsection for a longer term or session. The institution or medical and dental unit may not delay a refund under this subsection on the grounds that the student may withdraw from the institution or unit later in the semester or term.

(a-1) An institution may assess a nonrefundable \$15 matriculation fee if the student withdraws from the institution before the first day of classes.

(b) Except as provided by Subsections (b-1) and (b-2), a [A] general academic teaching institution or medical and dental unit shall refund from the amount paid by [tø] a student withdrawing from the institution or unit an amount equal to the product of the amount of tuition and mandatory fees charged ~~[collected]~~ for each course in which the student is enrolled on the date the student withdraws multiplied by the applicable percentage derived from the following tables:

(1) if the student withdraws during a fall or spring semester or a summer term of 10 weeks or longer ~~[or comparable trimester]:~~

(A) prior to the first class day	100 percent
(B) during the first five class days	80 percent
(C) during the second five class days	70 percent
(D) during the third five class days	50 percent
(E) during the fourth five class days	25 percent
(F) after the fourth five class days	None; <del>[and]</del>

(2) if the student withdraws during a <del>summer</del> term or session of more than five weeks but less than 10	weeks:
(A) prior to the first class day	100 percent
(B) during the first, second, or third class day	80 percent
(C) during the fourth, fifth, or sixth class day	50 percent
(D) seventh day of class and thereafter	None; and
(3) if the student withdraws from a term or session of five weeks or less:	
(A) prior to the first class day	100 percent
(B) during the first class day	80 percent
(C) during the second class day	50 percent
(D) during the third class day and thereafter	None.

(b-1) If a student has not paid the total amount of the tuition and mandatory fees charged to the student by the institution or unit for the courses in which the student is enrolled by the date the student withdraws from the institution or unit, instead of issuing the student a refund in the amount required under Subsection (b), the institution or unit may credit the amount to be refunded toward the payment of the outstanding tuition and mandatory fees owed by the student. The institution or unit shall issue a refund to the student if any portion of the amount to be refunded remains after the outstanding tuition and mandatory fees have been paid.

(b-2) A general academic teaching institution or medical and dental unit may provide to a student withdrawing from the institution or unit a refund of a portion of the tuition and mandatory fees charged to the student by the institution or unit for the courses in which the student is enrolled on the date the student withdraws in an amount greater than the amount required by Subsection (b). The institution or unit may apply the portion of the refund authorized by this subsection toward the payment of any outstanding tuition and fees as provided by Subsection (b-1), and may refund the remainder of that portion in the form of, as the institution or unit considers appropriate:

(1) a payment made directly to the student; or

(2) credit toward payment of tuition and mandatory fees for a subsequent semester or other academic term at the institution or unit.

(c) Separate withdrawal refund schedules may be established for optional fees [such as intercollegiate athletics, cultural entertainment, parking, and yearbooks].

(e) A general academic teaching institution or medical and dental unit may ~~shall~~ terminate a student's student services and privileges, including ~~such as~~ health services, library privileges, facilities and technology usage, and athletic and cultural entertainment tickets, when the ~~a~~ student withdraws from the institution.

SECTION 4. Subsection (g), Section 54.006, Education Code, is repealed.

SECTION 5. The Texas Higher Education Coordinating Board shall adopt the rules required by Subsection (e), Section 51.907, Education Code, as added by this Act, relating to permitting a student who shows good cause to drop more than a specified number of courses, as soon as practicable after this Act takes effect. For that purpose, the

coordinating board may adopt the initial rules in the manner provided by law for emergency rules.

SECTION 6. Section 51.907, Education Code, as added by this Act, applies only to the number of courses that may be dropped by a student who beginning with the 2007 fall semester enrolls in a public institution of higher education as a first-time freshman.

SECTION 7. The change in law made by this Act applies to tuition and mandatory fees charged beginning with the fall 2007 semester.

SECTION 8. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2007.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 1231 passed the Senate on April 19, 2007, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendments on May 25, 2007, by the following vote: Yeas 30, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 1231 passed the House, with amendments, on May 23, 2007, by the following vote: Yeas 144, Nays 0, two present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor

## Appendix D

Meeting Summary for June 26, 2007 meeting at THECB

Subject: Implementation of SB 1231 – pertaining to limiting the number of drops for students

Present: THECB:  
Roger Alford – Director, Instruction & Academic Affairs, AAR  
Susan Brown – Assistant Commissioner for Planning and Accountability  
Dominic Chavez – Assistant Director for State Relations, Office of Strategic Alliances  
David Gardner – Deputy Commissioner  
Catherine Parsonneault – Program Director, Instruction & Academic Affairs, AAR  
Joe Stafford – Asst. Commissioner, Academic Affairs & Research

TACRAO:  
Janie Neighbors – North Central Texas College  
Lorri Morris – Angelo State University  
Dennis Crowson – Blinn College  
Cathie Jackson – Tarrant County Community College  
Mike Allen – University of Texas at Austin

### Agenda

- Review of Legislation:
  - Section 51.907 of the Texas Education Code (TEC) - Limitations on the number of courses that may be dropped under certain circumstances pertains to “institutions of higher education” as defined by 61.003 of the Texas Education Code. This means the statute:
    - applies to public institutions in the State of Texas
    - does not apply to in-state private institutions or out of state institutions
  - Section 51.907, Section 6, indicates that this applies only to the number of courses that may be dropped by a student who beginning with the 2007 fall semester enrolls in a public institution of higher education as a first-time freshman
  - The phrase "drop without receiving a grade" is interpreted as the student dropped after the census date of the semester and did not receive a grade of A,B,C,D, or F.
  - A total withdrawal from the institution is different than a drop of a single course and withdrawals are not to be counted in this statute
  - Subsection C of the statute limits the number of drops to six, including a course dropped at another institution, and provides a number of waivers for drops. These waivers are listed below and will be heard at THECB board meeting July 19, 2007.
- Review of the emergency rules posted in the Texas Register and scheduled to be heard at the July 19th meeting of THECB. These are Chapter 4 Rules Applying to Limitations on the Number of Courses that May Be Dropped under Certain Circumstances by Undergraduate Students. There will be a public comment period with final passage scheduled for the October THECB board meeting.

- Item 4.3 (11) of these rules adds a definition of a dropped course and reads - Dropped Course- a course in which an undergraduate student at an institution of higher education has enrolled for credit, but did not complete, under these conditions:
  - A. the student was able to drop the course without receiving a grade or incurring an academic penalty;
  - B. the student's transcript indicates or will indicate that the student was enrolled in the course past the deadline to add and drop prior to the census date; and
  - C. the student is not dropping the course in order to withdraw
  
- The suggestion was made during our meeting to modify the above definition to say "enrolled for credit in a certificate or degree program, but did not complete, under these conditions....."
  
- Item 4.10 of these rules - Limitations on the Number of Courses that May be Dropped under Certain Circumstances by Undergraduate Students
  - (a) Beginning with the fall 2007 academic term, and applying to students who enroll in higher education for the first time during the fall 2007 academic term or any term subsequent to the fall 2007 term, an institution of higher education may not permit an undergraduate student to drop a total of more than six courses, including any course a transfer student has dropped at another institution of higher education as defined for this section, unless:
    - (1) the institution has adopted a policy under which the maximum number of courses a student is permitted to drop is less than six: or
    - (2) the student can show good cause for dropping more than that number, including but not limited to a showing of:
      - (a) a severe illness or other debilitating condition that affects the student's ability to satisfactorily complete the course;
      - (b) the student's responsibility for the care of a sick, injured, or needy person if the provision of that care affects the student's ability to satisfactorily complete the course;
      - (c) the death of a person who is considered to be a member of the student's family who is otherwise considered to have a sufficiently close relationship to the student that the person's death is considered to be a showing of good cause;
      - (d) the active duty service as a member of the Texas national Guard or the armed forces of the United States of either the student or a person who is considered to be a member of the student's family or who is otherwise considered to have a sufficiently close relationship to the student that the person's active military service is considered to be a showing of good cause;
      - (e) the change of the student's work schedule that is beyond the control of the student, and that affects the student's ability to satisfactorily complete the course; or
      - (f) other good cause as determined by the institution of higher education.
  - (b) Each institution of higher education shall adopt a policy and procedure for determining a showing of good cause as specified in (a) and shall provide a copy of the policy to the Coordinating Board.

- (c) Each institution of higher education shall publish the policy adopted under this section in the catalogue and other print and internet-based publications as appropriate for the timely notification of students.
  - Discussion of implementation of SB 1231 **without tracking** drops across institutions
    - Tracking drops within an institution (excluding drops from other institutions)
      - Notification to students about the requirements of Section 51.907 - Limitations on number of courses that may be dropped under certain circumstances
      - Establishing a capacity to count the number of drops a student accumulates at that institution
      - Establish a procedure allowing a waiver drop under the specified conditions including:
        - Who within the institution has authority to grant the waiver
        - What documentation is required and who will maintain the documentation
        - What grade symbol will be recorded on academic record for a waiver drop
          - A drop symbol like any other drop
          - Maintain a "drop" counter for the institution that excludes the waivers given
          - Report each semester via the CBM reporting series how many drops the student has at the institution
          - THECB tracks the number of drops across institutions in a manner similar to the 30+ rule, and adds all the eligible institutions to the count
          - THECB reports the number of drops across institutions back to the institutions (FERPA issues)
        - What grade symbol will be reported on the transcript for a waiver drop?
          - A drop symbol like any other drop
          - A drop/waiver symbol such as an W& or &
      - Cost Implications for institutions
        - Software modification expenses can be substantial for institutions to develop automated drop procedures that check students drop total before allowing a drop to be processed. Most institutions use vendor software packages that will require customized features be developed.
        - Staffing costs for checking drop totals as part of the drop procedure will be substantial
        - Staffing costs for hearing waiver appeals will be substantial
- Discussion of implementation of SB 1231 **including tracking** drops across institutions. Included in the discussion were:
  - The cost of software modifications and procedural costs of dealing with other institutions transcripts to determine:
    - whether the drop on the transcript was given as an exception to HB 116 rule and therefore should not be counted in the total number of drops allowed.
    - If the course dropped was actually a drop under the definitions of the statute or was a withdrawal and therefore should not be included in the count. Some institutions use the same symbol for both, usually a "W". On a transcript, dropping all courses sequentially would look no different on the transcript than withdrawing from all courses. And, if some courses were dropped and then the student withdrew, it would be virtually impossible to tell the difference from the transcript.
  - The need to establish a means of maintaining a count of dropped courses that is constantly updated as students do summer work, often at different institutions than they normally attend

- Modify automated transcript evaluation routines that ignore non grade symbols, such as “W” or “Q” so that they recognize these symbols, correctly interpret these symbols, and add them to a running total for the student. This is a significant software modification in view of the fact that most institutions use Student Information Systems that are purchased and therefore will require modifications by the vendor.
- Open admission schools admit and register students without transcripts from prior schools. These schools may receive transfer transcripts well after the student has enrolled and paid their tuition. In some cases, it could be after the semester is over. In this scenario, the proposed legislation could not be enforced.
- Developmental courses dropped when the TSI objective is reached should not count in the students drop total
- Identifying courses on another institution's transcript that meet the following portion of the statute:
  - In determining the number of courses dropped by a student for purposes of this section, a course, such as a laboratory or discussion course, in which a student is enrolled concurrently with a lecture course is not considered to be a course separate from the lecture course if:
    - concurrent enrollment in both courses is required; and
    - in dropping the lecture course, the student would be required to drop the laboratory, discussion, or other course in which the student is concurrently enrolled.

### **Outcomes of the Meeting**

**Implementation Plan and Timeline** - Given the fact that SB 1231 was passed by the legislature and signed by the Governor, it has the force of law and requires implementation. However given the difficulty and cost of implementation, it is advisable that the implementation be phased. After discussion, a three phase implementation plan consisting of the following was tentatively agreed upon, by the TACRAO representatives and members of THECB staff, as an acceptable starting point for full implementation.

**Phase I** - early July, 2007 - TACRAO recommends to the membership it publish information on SB 1231 that includes:

- Notification of the statute (applies to all students who are entering first-time-in-college for fall 2007 and beyond)
- That institutional policies are being developed to implement the statute
- The statute applies across institutions and procedures for implementation may vary between institutions

An example of such information would be:

- Under section 51.907 of the Texas Education Code, “an institution of higher education may not permit a student to drop more than six courses, including any course a transfer student has dropped at another institution of higher education.” This statute was enacted by the State of Texas in spring 2007 and applies to students who enroll in a public institution of higher education as first-time freshmen in fall 2007 or later. Any course that a student drops is counted toward the six-course limit if “(1) the student was able to drop the course without receiving a grade or incurring an academic penalty; (2) the student’s transcript indicates or will indicate that the student was enrolled in the course; and (3) the student is not dropping the course in order to withdraw from the institution.” Some exemptions for good cause could allow a student to drop a course without having it counted toward this limit, but it is the responsibility of the student to establish that good cause.

Contact the [Office of \_\_\_\_\_] for more information before you drop a course!

- Policies and procedures for implementation of this statute are being developed and will be published as soon as they are available.
- An ABC College student affected by this statute that has attended or plans to attend another institution of higher education should become familiar with that institution's policies on dropping courses.

**Phase II - September 2007-February 2008**

- A study will be conducted by TACRAO and THECB on the cost and benefits of various implementation strategies. The study is necessary to provide a coordinated state wide effort for implementation and avoid unnecessary costs and complications. Although the study is yet to be designed, preliminary thoughts about the content include the following possibilities:
  - The costs of implementation of a drop limit:
    - within institutions
      - How will institutions modify drop procedures to monitor the statutory requirements, implement waiver procedures, count drops and exclude waivers
      - What will it cost to do this?
    - across institutions
      - assuming use of the CBM reports and a THECB data base similar to that used in the 30hr plus rule to accumulate the drop count across institutions or:
      - assuming each institution had to implement measures to count drops across institutions without some sort of central data base or:
      - assuming each institution added a " SB 1231 drop count" to their transcript
  - If implementation of section 51.907 of the Texas Education Code will reduce drops and therefore save the state and taxpayers sufficient money to offset the implementation costs and ongoing costs of the statute.
  - How section 51.907 of the TEC will interact with other efficiency measures already in place such as the 30+ rule, the 3-peat rule, B on time incentives and tuition rebate?
  - How this statute will impact the Closing the Gaps effort, particularly at community colleges
  - If this statute will improve time to degree for students
  - To gather information about why students drop courses, with the intent of finding ways to reduce the number of drops. For example,
    - Data about drops from various institutions such as:
      - Why students drop courses
      - What percentage of drops would meet the waiver criteria of the statute and Chapter 4 rules
      - What percentage of currently enrolled students has more than six drops at a single institution?
      - What percentage of drops are in developmental courses when a student achieves the learning objective of the course
      - What students will do when they reach the drop limit?
      - What percentage of currently enrolled students have more than six drops at all institutions covered by this statute?
      - Estimate what percentage of students that would be impacted by this statute
      - How will this statute effect students transferring from Community Colleges to Senior Colleges

- What percentage of the decrease in semester credit hours reported on the CBM 004 and the CBM 006 for Fall 2006 semester (see the attached document) is attributed to:
  - Drops from courses
  - Withdrawals from all courses for the semester

**Phase III - February 2008 - May 2008**

TACRAO institutions and THECB will work together to develop the best implementation strategy available, given the findings of the study

- TACRAO has no authority or responsibility for determining institutional implementation but recognizes a need to facilitate a discussion of issues related to implementation at the institutional level. This need stems from the fact that unless institutions coordinate their efforts, it will compound the difficulty and expense of implementing this statute across institutions, as required by law. TACRAO will coordinate the discussion via the TACRAO list-serve, the TACRAO summer meetings in July, the TACRAO annual meeting in November, and additional meeting of work groups. The proposed timeline is:
  - July 19, 2007 THECB board meeting - SB 1231 rules are heard under emergency provisions.
  - -Public comment period (minimum of 30 days) will occur between July and October Board meetings, with adoption of the rules planned for October THECB board meeting. Draft rules recommended for adoption in October must be posted in the *Texas Register* before the comment period begins. THECB will notify TACRAO when the comment period goes into effect.
  - July 24-26, 2007 TACRAO Summer Workshops held in Austin. Various implementation options are discussed by those in attendance. Additional fact finding takes place.
  - October, 2007 - proposed THECB rules approved at the October board meeting.
  - September 2007 - February 2008 - conduct studies
  - November - TACRAO Annual Conference - TACRAO continues discussion concerning implementation of SB 1231
  - February 2008 - May 2008 - implementation strategy developed.

## Appendix E

August 24, 2007

### MEMORANDUM

To: Chancellors, Presidents, and Chief Academic Officers of all public institutions of higher education

From: Joseph H. Stafford

Subject: Important Information Regarding Senate Bill 1231, Course Drop Limitation for Undergraduates

This memo is to inform you about the recent adoption of emergency rules regarding Senate Bill (SB) 1231, which was passed by the 80th Texas Legislature. This bill provides that, except for several specific instances of good cause, undergraduate students enrolling as first-time freshmen at a public institution of higher education in fall 2007 or later will be limited to a total of six dropped courses during their entire undergraduate career.

### **SB 1231**

The new law went into effect as soon as it was signed in June 2007. Beginning with entering first-time-in-college freshmen fall 2007, it affects all students at Texas public colleges and universities. The Coordinating Board was authorized to adopt “emergency” rules at the regular quarterly July Board meeting. Those rules establish exceptions to the new limitation on the number of courses that an institution of higher education may allow an undergraduate student to drop and add a definition for the term “dropped course.” These rules were treated as emergency rules in order to place them into effect prior to the beginning of the fall 2007 semester.

### **Implementation: Institutional Responsibilities**

SB 1231 applies to courses dropped at public institutions of higher education in Texas, including community and technical colleges, health science centers that offer undergraduate programs, and universities.

Courses dropped at independent/private Texas institutions, or at colleges and universities in other states, should not be counted against the Texas public institution student’s 6-drop limit.

Courses with separate lecture and lab/discussion section components for which co-enrollment is required should be treated as a single course for purposes of the limitation.

All potentially affected students – those who are first-time-in-college this fall – must be alerted to the risks of dropping courses, even though full implementation will not be completed by the end of the fall 2007 semester. Each student is responsible for complying with the law, even though all implementation procedures have not yet been

fully developed. Having information about the new cumulative limitation on dropped courses may affect the registration choices some students will make as early as the current fall 2007 semester.

As part of the initial implementation of the law, the Texas Association of Collegiate Registrars and Admissions Officers (TACRAO) will help guide institutions regarding information for incoming fall 2007 freshmen about the new restriction on dropping courses, developing ongoing advising strategies for students with the potential to drop too many courses, and developing a sample statement to include in official publications and on-line resources explaining the new limitation.

### **Implementation: Statewide Considerations**

Implementation of SB 1231 will involve continuing collaboration among colleges and universities, as well as with TACRAO. Registrars, admissions officers, and institutional technology staff will be able to make direct contributions to development and implementation of a tracking system for courses dropped at different institutions.

To initiate the statewide implementation plan for SB 1231, Coordinating Board staff hosted a half-day meeting with TACRAO representatives on June 26, 2007. TACRAO is cooperating fully in the implementation, and the meeting resulted in a three-phase plan for implementation. Implementation of the inter-institutional tracking system presents a set of complex challenges, and will require careful planning if it is to be implemented effectively.

TACRAO and Coordinating Board staff have agreed to collaborate in conducting a study of the potential effects on institutions of implementing and maintaining a tracking system to ensure that all dropped courses on a student's undergraduate record are taken into consideration, especially for students who attend more than one public Texas institution of higher education. The study is likely to include a cost-benefit analysis of the provisions called for in SB 1231.

Some key questions already under consideration by TACRAO and CB staff include:

- the matter of administrative (institution-initiated) drops;
- whether dropped developmental courses would count against the 6-drop limit;
- whether dropped dual credit courses would count against the 6-drop limit;
- institutions with established course-drop policies that differ from the mandate;
- existing course-drop policies that have eliminated the "drop-failing" category;
- the development of institutional appeals policies and procedures;
- time limits for declaring good cause, and after-the-fact evaluation of previously dropped courses for potential good cause if a student appears to be approaching the 6-drop limit; and
- advisement and monitoring of dropped courses as a responsibility to be shared between institution and student.

Some of these concerns are addressed directly in the statute. The study will include recommendations regarding the full implementation of the statute, and is tentatively expected to be completed during the spring of 2008.

Coordinating Board staff believes that cooperation and collaboration with TACRAO is essential to the successful implementation of SB 1231. TACRAO is to be commended for its prompt and thoughtful insights in addressing the complex challenges presented by the implementation process.

### **Coordinating Board Rules and Public Comment Period**

The rules will be brought back to the Board in October 2007 for consideration under regular procedures. They will be posted in the *Texas Register* on August 31, 2007. A public comment period will begin on August 31, 2007, and will conclude on October 1, 2007. During the public comment period, institutions, organizations, and individuals may offer comments regarding the proposed rules. Based on any comments received during that official comment period, modifications to the proposed rules may be made and reported at the October 25<sup>th</sup> Board meeting.

A copy of SB 1231 and a copy of the proposed rules are attached for your convenience. Note especially that Sections 1, 5, and 6 of SB 1231 are related to the limitation on the number of dropped courses, while Sections 2, 3, 4, 7, and 8 address a different matter that is not covered by this memo or the draft rules that will soon be available for public comment.

Comments may be sent to Dr. Catherine Parsonneault at [catherine.parsonneault@thehb.state.tx.us](mailto:catherine.parsonneault@thehb.state.tx.us), or mailed to her at: Dr. Catherine Parsonneault, Program Director, Division of Academic Affairs & Research, Texas Higher Education Coordinating Board, PO Box 12788, Austin, TX 78711.

## Appendix F

### TACRAO SB 1231 Committee

A committee was appointed by the TACRAO executive committee on September 14, 2007 to assist THECB in the implementation of SB 1231. Since then, there have been some additions and deletions to the committee. Here are the current members of the TACRAO SB 1231 Implementation Committee.

Mike Allen, Chair – University of Texas at Austin  
Lorri Moore – TEC Ex-officio member  
Lynn McCreary – University of North Texas  
Steve Bazan – Texas State University  
Venesa Flores – Texas A&M University  
Debra Goode – UT HSC San Antonio  
Jamie Templeton – Dallas CCC District  
Wanda Simpson – San Jacinto College  
Cathy Jackson – Tarrant College  
Van Miller – Texarkana College  
Dennis McMillan-UT Pan AM  
Joe Hite - Vernon College

### Charges to Subcommittees

1. Organize and word the TACRAO comments pertaining to the emergency rules passed by THECB.
  - Venesa Flores - Task leader
  - Mike Allen
  
2. Evaluate, articulate, and estimate costs on the use of a “SB 1231 drop counter” on institution transcripts\*
  - Wanda Simpson - Task leader
  - Vanesa Flores
  - Dennis McMillan
  - Steve Bazan - To evaluate how this would be implemented on the electronic transcript
  
3. Evaluate, articulate, and estimate costs of creating a centralized database administered by THECB that utilizes the CBM reporting series to report drops and provides the information needed by institutions to track drops across institutions.\*
  - Lynn McCreary - Task leader
  - Debra Goode

- Jamie Templeton
  - THECB liaison - Janet Beinke
4. Work with THECB staff to identify and resolve policy issues such as those listed in Joe Stafford's memo from THECB
    - Cathie Jackson - Task Leader
    - Van Miller
    - Dennis McMillian
    - THECB liaison - Catherine Parsonneault or Joe Stafford.
  5. Work with THECB staff to design a study/survey pertaining to drops that can be administered at a variety of institutions during the spring 2008 semester.
    - Mike Allen - Task Leader
    - Cathie Jackson
    - Joe Hite
    - THECB liaison - Catherine Parsonneault.
- \* We will probably do a single survey of member institutions that calls for voluntary costs estimates of implementing the two different approaches. We will need to be able to articulate those two approaches before we can conduct a cost estimate.

## Appendix G

### Comments on Chapter 4 rules submitted on behalf of TACRAO

The following comments address the definition of a dropped course in section 4.3.11 as shown below.

Dropped Course – a course in which an undergraduate student at an institution of higher education has enrolled for credit, but did not complete, under these conditions:

(A) the student was able to drop the course without receiving a grade or incurring an academic penalty;

(B) the student’s transcript indicates or will indicate that the student was enrolled in the course past the deadline to add and drop prior to the census date; and

(C) the student is not dropping the course in order to withdraw from the institution.

- What is meant in 4.3.11 (a) by the phrase “without receiving a grade”? Since most institutions consider a grade symbol for a dropped course to be a grade, such as W or Q, we find this wording confusing. What is the definition of a grade in this context?
- What is intended in 4.3.11 (b)? If a student is enrolled in a course past the census date the student’s transcript will contain a reference to the course. If the student is not enrolled in the course on the census date, there will be no reference to the course on the transcript. Therefore, inclusion of the phrase “enrolled in the course past the deadline to add and drop prior to the census date” is confusing and raises questions about the intent of the statute.

The question raised with regard to intent is the possibility that this phrasing is aimed at reducing the phenomenon referred to as “shopping”. Shopping is when a student signs up for more courses than they intend to keep, stays enrolled past the normal add/drop period, then drops the course before the census date, effectively preventing other students from enrolling in that course for the semester, assuming the class was full.

If the intent of the statute is to reduce “shopping” then the statute is significantly flawed in its construction and needs to be reworked entirely. No institution currently tracks the number of courses dropped “past the deadline to add and drop prior to the census date” nor records any kind of grade on the transcript for courses dropped prior to the census date. We consider a clarification of intent to be critical and to have significant implications with respect to this statute.

The following comments seek to clarify section 4.10 (a), as shown below, with respect to what students are affected.

(a) Beginning with the fall 2007 academic term, and applying to students who enroll in higher education for the first time during the fall 2007 academic term or any term subsequent to the fall 2007 term, an institution of higher education may not permit an undergraduate student a total of more than six dropped courses, including any course a transfer student has dropped at another institution of higher education, unless:

- Section 6 of SB 1231 indicates the bill applies to "a student who beginning with the 2007 fall semester enrolls in a public institution of higher education as a first-time freshman." The language in 4.10 (a), by use of the term "students" broadens that definition and presents the possibility of including out-of-state transfers or transfers from in-state private institutions. These students would be enrolling in higher education in Texas for the first time but they would not be first-time-freshmen. What is intended?
- How does this apply to high school students who enroll in college courses before graduating from high school? For example, how is a fall 2007 freshman affected if they enrolled at an institution as a dual-credit student while in high school prior to the fall 2007?

The following comment addresses the definition of a "member of the student's family" in section 4.10 (b) as shown below.

(b) For purposes of this section, a "member of the student's family" is defined to be the student's father, mother, brother, sister, grandmother, grandfather, aunt, uncle, nephew, niece, first cousin, step-parent, or step-sibling; a "person who is otherwise considered to have a sufficiently close relationship to the student" is defined to include any other relative within the third degree of consanguinity, plus close friends, including but not limited to roommates, housemates, classmates, or other persons identified by the student for approval by the institution, on a case-by-case basis.

- We would like to suggest adding a student's spouse and children to this definition.

## Appendix H

### AGENDA ITEM VII-I

#### ADOPTION RULES PREAMBLE

##### **Reasoned justification (restatement of factual basis, summary of comments, agree or disagree with comments)**

The Texas Higher Education Coordinating Board adopts amendments to Section 4.3 and a new Section 4.10 of Board rules, concerning limitations on the number of courses that may be dropped under certain circumstances by undergraduate students without changes to the proposed text as published in the August 31, 2007 issue of the *Texas Register*, Volume 32, Number 35, Pages 5595-5597.

The amendment adds a definition of a “dropped course” and renumbers the existing definitions to accommodate the new definition in alphabetical order. The new Section 4.10 describes situations under which a student would be permitted to drop more than the six courses allowed by the provisions of Section 1 of SB 1231 (80<sup>th</sup> Regular Session, Texas Legislature), as part of the provisions of a new section of the Texas Education Code, Section 51.907.

Comments were received during a period from August 31, 2007 through October 1, 2007. These comments are summarized below.

Comment: Texas Woman’s University suggested that, given the high number of non-traditional students, “member of the student’s family” should also include the student’s spouse, child, or grandchild.

Response: Staff agrees with the comment. The draft rules were modified to include the student’s spouse, child or grandchild among “members of the student’s family.”

Comment: The Texas Association of Collegiate Registrars and Admissions Officers (TACRAO) requested clarification to 4.3 (11) of proposed rules regarding the phrase “without receiving a grade.” TACRAO asked for a definition of a grade in the context of the proposed rules.

Response: Staff added a definition of a grade for purposes of this section of the rules.

Comment: TACRAO suggested modifying language in proposed section 4.3.11(b) to remove reference to the drop-add period, which is confusing and raises a question about the intent of the statute.

Response: Staff has modified the section to remove the reference.

Comment: TACRAO requests clarification of proposed section 4.10 (a) regarding which students are affected by the provisions of the statute. SB 1231 states that the provisions of the bill apply “only to the number of courses that may be dropped by a student who beginning with the fall 2007 semester enrolls in an institution of higher education as a first-time freshman.”

Response: Based upon the provision in SB 1231, staff interprets this provision to indicate that anyone who was enrolled as a post-secondary student anywhere prior to fall 2007 is not affected by the statute. A student who enrolls in an institution of higher education (i.e. a Texas public college or university, specified in the statute by reference to the definition in TEC 61.003) as a first time freshman beginning with fall 2007, and extending to subsequent semesters, is affected by the statute. A student who enrolls at any other college, university, or other post-secondary educational institution as a first-time freshman during fall 2007 or later is affected by the statute only upon transfer into a Texas public institution of higher education, and a course dropped during enrollment at an institution that does not fall under the definition of “institution of higher education” provided in TEC 61.003 should not be considered for purposes of this section. Because these interpretations are clear based upon the established definition of an “institution of higher education,” no change was made to the proposed rules as a result of this comment.

Comment: TACRAO asks for clarification regarding students who have enrolled in college courses prior to high school graduation, and whether such students are affected by the limitation on dropped courses.

Response: Students who are still enrolled in high school are not affected by the provisions of SB 1231 and any course a student drops while they are still enrolled in high school should not be counted toward the limitation on dropped courses under this section. No change was made to the proposed rules as a result of this comment.

Comment: TACRAO suggests that the definition of a “member of the student’s family” should include a student’s spouse and children.

Response: See the similar comment from Texas Woman’s University, and the staff response indicating a modification to the proposed rules.

Comment: North Harris Montgomery County College District submitted a number of comments regarding the statute itself, including comments regarding increased negative impact on student success; negative impact on *Closing the Gaps* goals; inequitable impact on students who transfer from independent or out-of-state institutions (that they would be less significantly affected than students who receive all their undergraduate education at Texas public colleges and universities); and significant cost implications for institutions for implementation of the statute. The comments also expressed concern for particular groups of students, including those enrolled in developmental education, ESL students, and first-time-in-college, low-income, minority students. No comments were directed specifically at the proposed rules and no suggestions for modifications of the proposed rules were offered.

Response: The proposed rules can be used by institutions to allow exemptions for good cause under the provisions of the statute. No change was made to the proposed rules as a result of this comment.

Comment: Austin Community College offered several comments regarding the proposed rules: (1) developmental courses should not count against the drop limit; (2) dual credit courses should not count against the drop limit; (3) institution-initiated (or “administrative”) drops should not count against the drop limit; (4) requesting clarification of TEC 51.907(b) “academic penalty;” (5) allow for the development of flexible “best practices” in implementation; (6) that a decision regarding an exempted course drop at one institution be immune from review and reclassification at a subsequent institution; (7) that standard exemptions be included for students serving on a jury for a period of time that would prevent completion of the course; incarceration of the student for a

period of time that would prevent the student from completing the course; a change in child care arrangements beyond the control of the student that would prevent the student from completing the course; and documented institutional error.

Response: These concerns can all be addressed through the development of local policies under the proposed rules. No change was made to the proposed rules as a result of these comments.

**Restatement of statutory authority**

The amendment and new section are adopted under the Texas Education Code, Section 51.907(e), which authorizes the Coordinating Board to adopt rules concerning limitations on the number of courses that may be dropped under certain circumstances by undergraduate students.

**Certification by legal counsel**

The Coordinating Board hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

## Appendix I

### CHAPTER 4. RULES APPLYING TO ALL PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN TEXAS Subchapter A. GENERAL PROVISIONS

#### Section

- 4.1. Purpose.
- 4.2. Authority.
- 4.3. Definitions.
- 4.4. Student Absences on Religious Holy Days.
- 4.5. Common Calendar.
- 4.6. Minimum Length of Courses and Limitation on the Amount of Credit that a Student May Earn in a Given Time Period.
- 4.7. Student Transcripts.
- 4.8. Expert Witnesses.
- 4.9. Excused Absence for a Person Called to Active Military Service.
- 4.10. Limitations on the Number of Courses that May Be Dropped under Certain Circumstances by Undergraduate Students.

4.1. – 4.2. No change

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 prepare students for transfer to a bachelor's degree program.

(3) Associate of Applied Science degree and the Associate of Applied Arts degree--Technical certificates issued to students who complete workforce education curricula of collegiate level.

(4) Associate of Arts in Teaching degree--Board-approved collegiate degree programs consisting of lower-division courses intended for transfer to baccalaureate programs that lead to initial Texas teacher certification.

(5) Bachelor of General Studies degree--A program designed principally for mature students who seek a flexible degree program and who do not desire or may not meet prerequisites of a highly structured traditional degree program, and to permit students to plan, with advisement, an individualized program with access to a wide range of academic disciplines and fields of professional study.

(6) Bachelor of Applied Arts and Sciences degree--A program designed to provide a path to a bachelor's degree for students who have earned previous collegiate credit through workforce education curricula. The degree program combines general education requirements and a professional component designed to complement the student's technical or vocational competence.

(7) Board--The Texas Higher Education Coordinating Board.

(8) Commissioner--The Commissioner of Higher Education.

(9) Common calendar--Dates and information pertaining to the beginning and ending (and lengths) of academic semesters and sessions, applicable to all Texas public universities and community, technical and state colleges.

(10) Consulting or testifying expert witness--Any non-fact witness whose name must be disclosed during litigation as required by the Texas Rules of Civil Procedure.

(11) Dropped Course – a course in which an undergraduate student at an institution of higher education has enrolled for credit, but did not complete, under these conditions:

(A) the student was able to drop the course without receiving a grade or incurring an academic penalty;

(B) the student's transcript indicates or will indicate that the student was enrolled in the course past the census date; and

(C) the student is not dropping the course in order to withdraw from the institution.

(12) ~~{(11)}~~ Degree program--Any grouping of subject matter courses which, when satisfactorily completed by a student, will entitle the student to a degree from an institution of higher education.

(13) ~~{(12)}~~ Faculty or professional staff of an institution of higher education--A non-classified, full-time employee who is a member of the faculty or staff and whose duties include teaching, research, administration or performing professional services, including professional library services.

(14) ~~{(13)}~~ Fiscal year--The State of Texas' fiscal year, September 1 through August 31.

(15) ~~{(14)}~~ Institution of higher education or institution--Any public technical institute, public junior college, public senior college or university, medical or dental unit, or other agency of higher education as defined in Texas Education Code, §61.003.

(16) ~~{(15)}~~ Interdisciplinary baccalaureate degrees--The Bachelor of General Studies degree (defined in paragraph (4) of this section) and such general degrees as liberal arts or humanities. These broad-based degrees vary in the amount of prescriptive

structure but share the characteristics of flexibility for the student and interdisciplinary course selection.

(17) ~~[(16)]~~ Non-classified--An employee whose position is not controlled by the institution's classified personnel system or a person employed in a similar position if the institution does not have a classified personnel system.

(18) ~~[(17)]~~ Religious holy day--A holy day observed by a religion whose places of worship are exempt from property taxation under the Texas Tax Code, §11.20.

4.4 - 4.9 No change.

4.10 Limitations on the Number of Courses that May Be Dropped under Certain Circumstances by Undergraduate Students.

(a) Beginning with the fall 2007 academic term, and applying to students who enroll in higher education for the first time during the fall 2007 academic term or any term subsequent to the fall 2007 term, an institution of higher education may not permit an undergraduate student a total of more than six dropped courses, including any course a transfer student has dropped at another institution of higher education, unless:

(1) the institution has adopted a policy under which the maximum number of courses a student is permitted to drop is less than six; or

(2) the student shows good cause for dropping more than that number, including but not limited to a showing of:

(A) a severe illness or other debilitating condition that affects the student's ability to satisfactorily complete the course;

(B) the student's responsibility for the care of a sick, injured, or needy person if the provision of that care affects the student's ability to satisfactorily complete the course;

(C) the death of a person who is considered to be a member of the student's family or who is otherwise considered to have a sufficiently close relationship to the student that the person's death is considered to be a showing of good cause;

(D) the active duty service as a member of the Texas National Guard or the armed forces of the United States of either the student or a person who is considered to be a member of the student's family or who is otherwise considered to have a sufficiently close relationship to the student that the person's active military service is considered to be a showing of good cause;

(E) the change of the student's work schedule that is beyond the control of the student, and that affects the student's ability to satisfactorily complete the course; or

(F) other good cause as determined by the institution of higher education.

(b) For purposes of this section, a “member of the student’s family” is defined to be the student’s spouse, child, grandchild, father, mother, brother, sister, grandmother, grandfather, aunt, uncle, nephew, niece, first cousin, step-parent, step-child, or step-sibling; a “person who is otherwise considered to have a sufficiently close relationship to the student” is defined to include any other relative within the third degree of consanguinity, plus close friends, including but not limited to roommates, housemates, classmates, or other persons identified by the student, for approval by the institution on a case-by-case basis.

(c) For purposes of this section, a “grade” is defined to be the indicator, usually a letter like A, B, C, D, or F, or P (for pass) assigned upon the student’s completion of a course. A “grade” indicates either that the student has earned and will be awarded credit, if the student has completed the course requirements successfully; or that the student remained enrolled in the course until the completion of the term or semester but failed to provide satisfactory performance required to be awarded credit. A “grade” under this definition does not include symbols to indicate that the course has been left incomplete, whether those symbols indicate a negotiated temporary suspension of the end-of-term deadline for completion of the course requirements commonly designated as “incomplete” status, a dropped course under the conditions designated for this section, or a withdrawal from the institution.

(d) Each institution of higher education shall adopt a policy and procedure for determining a showing of good cause as specified in (a) and shall provide a copy of the policy to the Coordinating Board.

(e) Each institution of higher education shall publish the policy adopted under this section in its catalogue and other print and Internet-based publications as appropriate for the timely notification of students.

## Appendix J

### Implementing TEC 51.907 in Electronic Transcripts

When legislation for TASP, Core Curriculum, and TSI mandated changes to Texas public college transcripts, much of the required code was placed in Requirement-Attribute-Proficiency (RAP) segments in the electronic version of the transcript. A document on SPEEDE Implementation Protocols (Texas Conventions) shows the agreed-upon protocols for TSI and Core Curriculum coding in section II.D, about halfway through the document. One may find this on the UT Austin SPEEDE web pages, under the DOCS link, URL: <http://registrar.utexas.edu/speede/docs/implementation.html>

Here are some representative TSI examples:

Complete exemption at another institution

RAP/9TX/TSIALL/R=ExemptOtherInst=3652/A//CM/19980901|

With

NTE/TSIALL exempted at Univ. of Houston|

A student with different results or reasons might have:

RAP/9TX/TSIMATH/C=Complete=TASP/R/Y/CM/199703|

RAP/9TX/TSIREAD/I=NotComplete/R/N/CM/199609|

RAP/9TX/TSIWRIT/B=CompleteCoursework/R/Y/CM/199706|

End-of-Examples.

REVISED PROTOCOL, approved October, 2008.

Schools would send one of the following three segments in the header section of the SPEEDE transcript:

RAP!9TX!SB1231!DROPCOUNT=nn!A| (where nn would be a numeric value for the actual drop count)

OR

RAP!9TX!SB1231!EXEMPT=X!A| (if the student is exempt from SB1231)

OR

RAP!9TX!SB1231!NOTREADY=N!A| (if the institution is not ready to comply with SB1231 and report a count)

I would discuss with other members of the TACRAO Technology Committee and the TX SPEEDE community. Our recommendation would then be circulated via TX-SPEED and TACRAO listservs. Presumably, UT Austin would modify the documentation (above) to include this protocol.

Implementation would be similar to that for TASP, TSI, and Core Curriculum, and difficulty would vary based on SIS and EDI mapping software. Steps would include:

1. (Biggest). Computing a value to be sent. There are several possible approaches to this, with none very pretty, and each of which requires system changes.

A. Compute the value on the fly each time a transcript is printed. This adds processing time to each request, but requires no additional fields.

B. Compute the drop count and store the value. Then add logic to be invoked every time a course is dropped, to update the count field. This requires a data base field, plus extra logic in a complicated component of the add/drop transaction logic.

2. Change the program (or have the provider of their Student Information System change it) to add this field, properly coded SB1231RAP or something like that, to the flat file extracted from the SIS with transcript data.

3. Change the mapping program instructions (which take data from the flat file into the national format) to place the passed data into a RAP segment, and output it with the other RAP segments in the header area. (RAP segments can also occur with courses, but these dropped courses are often not included on the transcript, so an attribute RAP segment attached to courses is not an option).

4. Change receiving programs to watch for incoming Drop Count RAP segments and take the appropriate actions – update or report.

5. Test all the above.

We would hope that the SB1231 counter would go just on printed and electronic transcripts sent to Texas schools. It might confuse other recipients and detract from other information on the transcript, and even a legal drop count of 6 or less might create a negative impression to a potential employer or graduate program.

A wild guess is that this will take 100 hours or so, if those charged with making the changes are familiar with all the areas in steps 1-5. It could be more if changes need to be worked through an SIS provider.

This appendix was provided by Dave Stones, Registrar, Southwestern University, Chair, TACRAO Technology Committee. 10/18/07.