



TEXAS ASSOCIATION of COLLEGIATE REGISTRARS and ADMISSIONS OFFICERS

August 18, 2019

Dr. Peebles,

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I write you as President of the Texas Association of Collegiate Registrars and Admissions Officers regarding recent considerations for negotiated rulemaking committees. Texas Education Code 61.0331 requires the Texas Higher Education Coordinating Board (THECB) to engage in negotiated rulemaking with institutions of higher education and other affected entities in accordance with the Negotiated Rulemaking Act, Texas Government Code Chapter 2008, when adopting policies, procedures, or rules relating to certain matters. Texas Administrative Code Rule 1.14 sets forth the THECB's negotiated rulemaking process.

On behalf of TACRAO members and the TACRAO Executive Committee, I'd like to communicate two significant concerns.

Having received lists of higher education professionals selected to serve on negotiated rulemaking committees for HB 449, we were gravely disappointed to see that none of the TACRAO officers nominated to serve on these committees was selected. We urge you to consider consistently including at least one TACRAO executive committee member to serve in negotiated rulemaking committees and represent the collective feedback of our membership.

An additional concern stems from the nature of positions held by those selected to the committees. Individuals serving in executive leadership roles are far removed from day-to-day business processes that significantly impact the feasibility of implementing rules established. The lack of subject matter expertise creates a gap in communication and jeopardizes the success of the negotiated rulemaking process mandated by Texas Education Code 61.0331.

We genuinely appreciate the THECB's efforts to more closely engage higher education professionals in rulemaking pertinent to new legislation, but we hope we can work together to strengthen the membership of negotiated rulemaking committees currently being developed.

Sincerely,

Sofia Montes
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