

**82nd Texas Legislature, Regular Session**  
**Enacted Legislation Affecting Career Schools and Colleges**

In 2011, the 82nd Texas Legislature passed legislation amending the Texas Education Code in several areas affecting career schools and colleges operating in Texas and their students. The following summarizes the legislation and its effect on career schools and colleges.

To read the entire bill, click on the bill numbers below.

**[HB 736](#) (Rep. Patrick/Sen. West)**

- Charges the Texas Higher Education Coordinating Board (THECB) and Texas Workforce Commission (TWC) with improving and coordinating the publication of online information about career schools and colleges. To the extent possible, the information will be patterned after THECB's institutional résumés.
- *Effective June 17, 2011*

**[HB 1839](#) (Rep. Phillips/Sen. Jackson)**

- Excludes from TWC's regulation recreational and teacher training instruction in the following subject areas: dance, music, martial arts, yoga, sports, physical fitness, horseback riding, weapons use, and needlecrafts. Schools offering only programs in the specified fields will no longer be licensed or approved. TWC does not have regulatory authority regarding the operation the programs listed in statute.
- *Effective June 17, 2011*

**[HB 2538](#) (Rep. Vo/Sen. Jackson)**

- Protects the confidentiality of students' personal information in TWC's career schools and colleges files.
- *Effective September 1, 2011*

**[HB 2784](#) (Rep. Alonzo/Sen. Hinojosa)**

- Replaces the statutory student refund policy for residence programs and synchronous distant education programs with a policy that:
  - is more equitable for students;
  - is easier to calculate; and
  - reduces unpaid debt load for schools.
- Refunds will be based on a straight proportion of the remaining portion of the period for which the student has been charged—up to the point at which 75 percent of the period has been completed. If the student terminates during a period of the program in which he or she has passed the 75 percent point and is not due a refund, the student may receive an incomplete and return within a year at no additional charge.
- *Effective: School refund policies for a career school or college to which a certificate of approval is granted or for which a certificate of approval is renewed on or after September 1,*

*2011, must comply with the new provisions. Schools can voluntarily update their refund policies prior to their certificate renewal date.*

**SB 1176 (Sen. Jackson/Rep. Vo)**

- Defines “postsecondary education” as (1) a program that requires a student to have a high school diploma or high school equivalency certificate or requires that the person be beyond the age of compulsory education (currently 18th birthday) and (2) that programs of instruction in yoga or that train persons to teach yoga are not postsecondary education. TWC only regulates entities offering postsecondary education.
- *Effective September 1, 2011*

**SB 1534 (Sen. Shapiro/Rep. Davis)**

- Excludes from regulation as a career school or college institutions that are: out-of-state, accredited, degree-granting institutions duly regulated in another state and only offering distance education in Texas. TWC does not have any regulatory authority regarding the operation of schools meeting the conditions for exclusion.
- Requires the schools or institutions that meet the four conditions for exclusion from regulation as a career school or college to post a conspicuous notice with three specified items of information on the homepage of their websites.
- Requires THECB to include career schools and colleges that grant degrees in its Higher Education Accountability System, which is used to track performance on critical measures that exemplify the missions of higher education institutions. The major focus of the Higher Education Accountability System is on the four *Closing the Gaps* target areas of participation, success, excellence, and research. The information is on THECB’s Website and is reported to the legislature.
- *Effective September 1, 2011, and applies to certificates of approval issued, actions filed, and any other proceedings commenced on or after September 1, 2011.*