

By: Bernal, Neave, Crockett, Ortega

H.B. No. 237

A BILL TO BE ENTITLED

1 AN ACT

2 relating to student access to certain academic records; authorizing  
3 a fee.

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

5 SECTION 1. Section 51.9715, Education Code, is amended by  
6 adding Subsections (c), (d), (e), (f), and (g) to read as follows:

7 (c) Except as provided by Subsections (d) and (e), on  
8 request by a student, a postsecondary educational institution shall  
9 release the student's transcript or the student's certificate of  
10 completion of training issued by the institution under Chapter 132,  
11 as applicable, to the student.

12 (d) On request by a student who has not fulfilled the  
13 student's financial obligation to the institution, a postsecondary  
14 educational institution must release the student's transcript or  
15 the student's certificate of completion of training issued by the  
16 institution under Chapter 132, as applicable, only if the student:

17 (1) has not been enrolled in the institution for at  
18 least five years;

19 (2) includes with the student's request a copy of the  
20 posting for the job for which the student intends to apply or a  
21 statement that the student intends to enroll in another  
22 postsecondary educational institution; and

23 (3) has made a good faith effort to fulfill the  
24 student's financial obligation to the institution, such as by

1 entering into a payment plan with the institution.

2 (e) A transcript or certificate of completion of training  
3 released on request by a student under Subsection (d) must be issued  
4 directly to the employer or postsecondary educational institution  
5 for which the student is requesting the transcript or certificate  
6 of completion of training.

7 (f) A postsecondary educational institution may charge a  
8 reasonable fee in connection with the release of a transcript or a  
9 certificate of completion of training under this section. The  
10 amount of a fee charged under this subsection must be the same for  
11 each student, except that a postsecondary educational institution  
12 may establish a policy that provides for charging a lower fee for  
13 certain students based on criteria other than whether the student  
14 has fulfilled the student's financial obligation to the  
15 institution.

16 (g) In this section, "postsecondary educational  
17 institution" includes an "institution of higher education" and a  
18 "private or independent institution of higher education" as those  
19 terms are defined by Section 61.003, and a "career school or  
20 college" as defined by Section 132.001.

21 SECTION 2. Section 54.057(b), Education Code, is amended to  
22 read as follows:

23 (b) The person shall pay the applicable amount to the  
24 institution not later than the 30th day after the date the person is  
25 notified of the person's liability for the amount owed. After  
26 receiving the notice and until the amount is paid in full, the  
27 person is not entitled to receive from the institution a

1 certificate or diploma, if not yet awarded on the date of the  
2 notice, [~~or official transcript~~] that is based at least partially  
3 on [~~or includes~~] credit for courses taken while the person was  
4 erroneously classified as a resident of this state.

5 SECTION 3. Section 132.055(b)(6), Education Code, is  
6 amended to read as follows:

7 (6) On [~~Except as provided by Section 132.062, on~~]  
8 completion of training, the student is given a certificate by the  
9 school or college indicating the program and that training was  
10 satisfactorily completed.

11 SECTION 4. Section 132.062, Education Code, is repealed.

12 SECTION 5. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2021.