

By: Bernal

H.B. No. 237

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

(e) A transcript or certificate of completion of training
released on request by a student under Subsection (d) must be issued

1 directly to the employer or postsecondary educational institution
2 for which the student is requesting the transcript or certificate
3 of completion of training.

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

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

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

20 (b) The person shall pay the applicable amount to the
21 institution not later than the 30th day after the date the person is
22 notified of the person's liability for the amount owed. After
23 receiving the notice and until the amount is paid in full, the
24 person is not entitled to receive from the institution a
25 certificate or diploma, if not yet awarded on the date of the
26 notice, [~~or official transcript~~] that is based at least partially
27 on [~~or includes~~] credit for courses taken while the person was

1 erroneously classified as a resident of this state.

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

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

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

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