

BILL ANALYSIS

H.B. 2333
By: Morrison
Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Numerous states require private career schools and colleges to obtain continuing education credits approved by a regulatory oversight agency. By implementing continuing education requirements, career schools and colleges benefit through increased awareness of federal and state policies regarding Title IV funding, attendance requirements, and private career school jurisprudence and ethics. The state benefits through increased accountability and improvements in the quality of education provided by private career schools and colleges. HB 2333 would implement continuing education requirements, modeled after a successful program in Florida, for individuals involved in the instruction and operation of career schools and colleges.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Workforce Commission in SECTION 1 (Section 132.0551(a) (b) (d) (e) and (g), Education Code) of this bill.

ANALYSIS

SECTION 1. Provides that each director of admissions and each full-time instructor employed by a career school or college must meet the minimum qualification and training requirements established by Texas Workforce Commission rule.

Provides that the chief administrative officer of or an owner with supervisory authority over a career school or college must meet the minimum qualification and training requirements established by commission rule.

Provides that the commission shall require a person described by Subsection (a) or (b) to complete not less than six hours each year of continuing education applicable to the position.

Provides that the commission by rule shall establish the minimum qualification and training requirements and continuing education requirements for each position to which this section applies.

Provides that in accordance with rules adopted for that purpose, the commission shall approve appropriate entities that the commission determines are qualified to provide the continuing education or training courses required by this section. In approving an entity under this subsection, the commission shall consider the entity's ability to offer a curriculum that:

- (1) addresses the applicable requirements for the positions for which the education or training is provided;
- (2) addresses the statutes, rules, and federal regulations or guidelines applicable to positions;
- (3) includes any criteria required to receive or retain accreditation from a nationally recognized organization; and
- (4) addresses any other curriculum needs of a continuing education or training course established under this section.

Provides that each career school or college shall maintain records of any continuing education or training received by school or college officials or personnel and shall make the records available for inspection during regular business hours on the premises of the school. The records must indicate for which position the continuing education or training was received.

Provides that Subsections (a), (b), and (c) do not apply to a person before September 1, 2006. The commission by rule shall prescribe procedures by which a person described by Subsection (a) or (b) who is employed by a career school or college before that date may meet the requirements of the applicable subsection before that date. This subsection expires January 1, 2007.

SECTION 2. Provides that before the commission issues a certificate of approval or a renewal certificate of approval under this section, the commission may require a career school or college to comply with the requirements of Section 132.0551 and to submit evidence of that compliance to the commission.

SECTION 3. Effective Date

EFFECTIVE DATE

This Act takes effect September 1, 2005.