

By: Thompson of Harris

H.B. No. 2000

A BILL TO BE ENTITLED

AN ACT

relating to career schools and colleges.

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

SECTION 1. Section 132.001, Education Code, is amended by adding subsection (16) to read as follows:

(16) "Primary campus" means, for educational institutions that are owned and operated by the same person, the school or institution designated by the owner as the main or principal campus for other such schools or institutions.

SECTION 2. Section 132.002, Education Code, is amended by amending subsection (g) and adding subsections (h), (i), and (j) to read as follows:

(g) Except as provided in subsection (h), an [An] institution of higher education or a private or independent institution of higher education, as defined by Section 61.003, that was exempt from regulation under this chapter before September 1, 2003, remains exempt from regulation under this chapter and is not required to comply with this section.

(h) A school or educational institution that currently participates or intends to participate in the Title IV financial aid programs authorized by the federal Higher Education Act of 1965, as amended, may not be exempted by this chapter by the commission under subsection (a)(2) unless the school or institution demonstrates to the commission that:

1 (1) either:

2 (i) the school or institution is accredited by
3 one or more accrediting agencies recognized by the U.S. Secretary
4 of Education; or

5 (ii) the school or institution, or the primary
6 campus for the school or institution, has been continuously in
7 operation for at least 20 years, notwithstanding the amount of time
8 the current owner has owned that school or institution; or

9 (2) the school or institution is owned, controlled,
10 operated, and maintained by a religious organization lawfully
11 operating as a nonprofit religious corporation and awards only
12 religious degrees or certificates including, but not limited to, a
13 certificate of Talmudic studies, an associate of Biblical studies,
14 a master of divinity, or a doctor of divinity.

15 (i) A school or educational institution may demonstrate to
16 the commission its compliance with subsection (h) by the
17 application process under subsection (d) or, if the most recent
18 declaration by the commission that the school or institution is
19 exempt from regulation under this chapter occurred prior to June
20 30, 2013, by submission of an affidavit from the owner.

21 (j) For any school or educational institution that is both
22 exempt from regulation under subsection (a)(2) and in compliance
23 with subsection (h)(1), the consumer protection division of the
24 attorney general's office shall have a process to review and act on
25 complaints by students of the school or institution relating to
26 consumer protection against fraudulent or abusive practices by the
27 school or institution.

1 SECTION 3. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2013.