

**TO THE OWNER/SCHOOL ADDRESSED:**

HB 2333 and HB 2806 were enacted by the 79<sup>th</sup> Texas Legislature, Regular Session (2005), amending Chapter 132 of the Texas Education Code, the Career School and College Act. The following are amendments to Title 3, Texas Education Code, Chapter 132:

**132.001(1-a)** adds a definition: "class" or "course".

**132.001(1-b)** adds a definition: "course time".

**132.001(8)** adds "limited liability company" to the definition of "person."

**132.001(9)** simplifies the definition of "unearned tuition."

**132.001(14)** adds a definition of "program or program of instruction."

**132.004** clarifies that a business enterprise that exclusively offers exempt courses or programs of instruction is exempt.

**132.051** removes timelines for the issuance of a certificate of approval.

**132.055** changes references to "course(s)" to "program(s)."

**132.055(b)(5)** modifies the list of items to be provided a student before enrollment.

**132.055(b)(7)** removes "attendance" from the list of required items.

**132.056(a)** modifies the list of items that must be on a certificate of approval.

**132.056(c)** clarifies that a new owner must apply for a change of owner in a manner prescribed by the Commission.

**132.061** changes references to "course(s)" to "program(s)." *The refund policy for residence schools is still based on scheduled hours and calendar years.*

**132.0551** adds annual requirements for at least six class hours of continuing education applicable to the position for school directors, directors of admissions and instructors.

**132.056** allows the Commission to require evidence that a school has complied with the continuing education requirements before the Commission issues a Certificate of Approval.

**132.065** states that a Title IV school or college is not required to take attendance and instead specifies four specific points where a student shall be terminated if not determined present by participating in an academically related activity. The school or college is required provide to the student written notice of all policies related to program interruption occurring before the student's completion of the program. The career school or college shall also

notify each student in writing that if the student withdraws from the program, it is the student's responsibility to inform the school or college of the student's withdrawal.

**132.2415(d)** adds that a teach-out may be conducted by schools and colleges whether or not they are a career school or college.

**132.242** reiterates that a teach-out school or college does not have to be a career school or college.

The amendments became effective September 1, 2005.

Sincerely,

J. Michael De Long  
Program Administrator  
Career Schools and Colleges