

BILL ANALYSIS

C.S.H.B. 2156
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Higher Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties suggest that the closure of certain private postsecondary educational institutions in recent years has created problems for former students of the institutions who are attempting to transfer to other institutions but cannot obtain access to their transcripts. C.S.H.B. 2156 seeks to address this issue by requiring the creation of a repository of student transcripts for certain private postsecondary educational institutions.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 2156 amends the Education Code to require the Texas Higher Education Coordinating Board to maintain a repository for student transcripts from closed private postsecondary educational institutions that were issued a certificate of authority to grant a degree or degrees and to enroll students for courses which may be applicable toward a degree or were issued a certificate of authorization to grant degrees. The bill authorizes the coordinating board to charge a fee to students requesting transcript copies maintained in the repository, not to exceed the cost of retrieving, reproducing, and sending the transcript copies. The bill requires an institution that was issued a certificate of authority or a certificate of authorization to provide its student transcript records to the coordinating board in the format specified by the coordinating board for inclusion in the repository at least biennially and on or immediately before the date of closing. The bill authorizes the coordinating board to adopt rules for the administration of provisions relating to private postsecondary educational institution agents and records and the transcript repository.

C.S.H.B. 2156 requires any institution that was issued a certificate of authority or a certificate of authorization that fails to provide student transcript records to the coordinating board as required by the bill to be assessed an administrative penalty of not less than \$100 or more than \$500 for each student whose transcript was not provided.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2156 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 61.315, Education Code, is amended to read as follows:

Sec. 61.315. AGENTS AND RECORDS; TRANSCRIPT REPOSITORY FOR CERTAIN CLOSED INSTITUTIONS AND RELATED FEES.

(a) The authorized or certified institutions may be required to furnish a list of their agents to the board, and to maintain records of students enrolled, credits awarded, and degrees awarded in a manner specified by the board.

(b) The board shall maintain a repository for student transcripts from closed institutions that were issued a certificate of authority under Section 61.306. The board may charge a fee to students requesting transcript copies maintained in the repository, not to exceed the cost of retrieving, reproducing, and sending the transcript copies.

A closed or closing institution that was issued a certificate of authority under Section 61.306 shall provide its student transcript records to the board in the format specified by the board for inclusion in the repository.

No equivalent provision.

SECTION 2. This Act takes effect immediately if it receives a vote of two-

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 61.315, Education Code, is amended to read as follows:

Sec. 61.315. AGENTS AND RECORDS; TRANSCRIPT REPOSITORY FOR CERTAIN CLOSED INSTITUTIONS AND RELATED FEES.

(a) The authorized or certified institutions may be required to furnish a list of their agents to the board, and to maintain records of students enrolled, credits awarded, and degrees awarded in a manner specified by the board.

(b) The board shall maintain a repository for student transcripts from closed institutions that were issued a certificate of authority under Section 61.306 or a certificate of authorization under Section 61.303. The board may charge a fee to students requesting transcript copies maintained in the repository, not to exceed the cost of retrieving, reproducing, and sending the transcript copies.

(c) An institution that was issued a certificate of authority under Section 61.306 or a certificate of authorization under Section 61.303 shall provide its student transcript records to the board in the format specified by the board for inclusion in the repository at least biennially and on or immediately before the date of closing.

(d) The board may adopt rules for the administration of this section.

SECTION 2. Section 61.316, Education Code, is amended by adding Subsection (e-2) to read as follows:

(e-2) Any institution that was issued a certificate of authority under Section 61.306 or a certificate of authorization under Section 61.303 that fails to provide student transcript records to the board as required under Section 61.315 shall be assessed an administrative penalty of not less than \$100 or more than \$500 for each student whose transcript was not provided.

SECTION 3. Same as introduced version.

thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.