

CHAPTER 563

S.B. No. 954

AN ACT

relating to operation of court reporter proprietary schools and programs.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 32.33, Education Code, is amended to read as follows:

Sec. 32.33. CRITERIA. The administrator may approve the application of such proprietary school when the school is found, upon investigation at the premises of the school, to have met the following criteria:

(a) The courses, curriculum, and instruction are of such quality, content, and length as may reasonably and adequately achieve the stated objective for which the courses, curriculum or instruction are offered. *Before a school conducts a course of instruction in court reporting, the school must produce evidence that the school has obtained approval for the curriculum from the Court Reporters Certification Board.*

(b) There is in the school adequate space, equipment, instructional material and instructor personnel to provide training of good quality.

(c) Educational and experience qualifications of directors, administrators and instructors are adequate.

(d) The school maintains a written record of the previous education and training of the applicant student and clearly indicates that appropriate credit has been given by the school for previous education and training, with the new training period shortened where warranted through use of appropriate skills or achievement tests and the student so notified.

(e) A copy of the course outline; schedule of tuition, fees, refund policy, and other charges; regulations pertaining to absence, grading policy, and rules of operation and conduct; regulations pertaining to incomplete grades; the name, mailing address, and telephone number of the Central Education Agency for the purpose of directing complaints to the agency; the current rates of job placement and employment of students issued a certificate of completion; and notification of the availability of the cost comparison information prepared under Section 32.21(b) of this code through the Central Education Agency will be furnished the student prior to enrollment.

(f) Except as provided by Section 32.40 of this code, on completion of training, the student is given a certificate by the school indicating the course and that training was satisfactorily completed.

(g) Adequate records as prescribed by the administrator are kept to show attendance and progress or grades, and satisfactory standards relating to attendance, progress and conduct are enforced.

(h) The school complies with all local, city, county, municipal, state and federal regulations, such as fire, building and sanitation codes. The administrator may require such evidence of compliance as is deemed necessary.

(i) The school is financially sound and capable of fulfilling its commitments for training.

(j) The school's administrators, directors, owners, and instructors are of good reputation and character.

(k) The school has, maintains and publishes in its catalogue and enrollment contract, the proper policy for the refund of the unused portion of tuition, fees and other charges in the event the student enrolled by the school fails to take the course or withdraws or is discontinued therefrom at any time prior to completion.

(l) The school does not utilize erroneous or misleading advertising, either by actual statement, omission, or intimation as determined by the State Board of Education.

(m) Such additional criteria as may be required by the State Board of Education.

(n) The school does not use a name like or similar to an existing tax supported school in the same area.

(o) The school furnishes to the Central Education Agency the current rates of students who receive a certificate of completion and of job placement and employment of students issued a certificate of completion.

(p) The school furnishes to the Central Education Agency for approval or disapproval student admission requirements for each course or program offered by the school.

(q) The school furnishes to the Central Education Agency for approval or disapproval the course hour lengths and curriculum content for each course offered by the school.

(r) The school does not owe a civil penalty under Section 32.611 of this code.

SECTION 2. Subchapter C, Chapter 61, Education Code, is amended by adding Section 61.0513 to read as follows:

Sec. 61.0513. COURT REPORTER PROGRAMS. The board may not certify a court reporter program under Section 61.051(f) of this code unless the program has received approval from the Court Reporters Certification Board.

SECTION 3. Subsection (b), Section 52.013, Government Code, is amended to read as follows:

(b) The board may:

(1) appoint any necessary or proper subcommittee;

(2) hire necessary employees; [and]

(3) pay all reasonable expenses from available funds;

(4) *approve curriculum for court reporter proprietary schools as provided by Section 32.33, Education Code; and*

(5) *approve court reporter programs in technical institutes and public community colleges for purposes of certification under Section 61.051, Education Code.*

SECTION 4. This Act takes effect September 1, 1993, and applies only to certificates of approval issued or renewed under Chapter 32 or 61, Education Code, on or after that date. A certificate of approval issued or renewed before the effective date of this Act is covered by the law in effect when the certificate was issued or renewed, and that law is continued in effect for that purpose.

SECTION 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on April 22, 1993, by a viva-voce vote; May 25, 1993, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 27, 1993, House granted request of the Senate; May 29, 1993, Senate adopted Conference Committee Report by a viva-voce vote; passed the House, with amendments, on May 22, 1993, by a non-record vote; May 27, 1993, House granted request of the Senate for appointment of Conference Committee; May 28, 1993, House adopted Conference Committee Report by a non-record vote.

Approved June 11, 1993.

Effective Sept. 1, 1993.