

# SHEEO State Authorization Inventory

## Texas

**Please note:** For purposes of this survey, the terms “authorize” and “authorization” are used generically to include approve, certify, license, regulate, recognize, empower, or similar actions relative to the operation, provision, or availability of postsecondary education in your state.

### 1. Agency and Contact Information

a. Agency Name: **Texas Workforce Commission (TWC)**

o Description:

Unless licensed by another state agency, any training, including distance education, offered to a Texas resident must be either licensed or exempted by this agency. In effect, any schools offering private postsecondary occupational training must be licensed, with exceptions. Other state agencies share with TWC approval responsibility for programs in certain disciplines, and degree granting authority in Texas is granted by the Texas Higher Education Coordinating Board. See also the publications, “What is a Career School or College?” at <http://www.twc.state.tx.us/svcs/propschools/what-is-career-school-college.pdf>.

o Contact Information:

Larry Temple  
Executive Director  
Texas Workforce Commission  
512-463-0735  
[larry.temple@twc.state.tx.us](mailto:larry.temple@twc.state.tx.us)

Catherine Bingle  
Director of Career Schools and Colleges  
Texas Workforce Commission  
512-463-9544  
[catherine.bingle@twc.state.tx.us](mailto:catherine.bingle@twc.state.tx.us)

o Please state who institutions should contact if they have questions about your agency’s authority, policies, or application process?

Career School Staff at 512-936-3100 or at [career.schools@twc.state.tx.us](mailto:career.schools@twc.state.tx.us)

- b. Links:
- Home page: <http://csc.twc.state.tx.us>
- Law: <http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.132.htm>
- Rules: <http://www.twc.state.tx.us/twcinfo/rules/ch807.pdf>
- General Information: <http://www.twc.state.tx.us/svcs/propschools/ps001a.pdf>
- School application packet:  
<http://www.twc.state.tx.us/svcs/propschools/propforms.html#newschool>
- c. The following agency also has responsibility for authorization in the state and was requested to complete a survey.  
 Texas Higher Education Coordinating Board (gives degree granting authority)
- Please see Question 2e of this survey for more information on:  
 Texas Department of Licensing and Regulation (regulates cosmetology schools)  
 Texas Department of State Health Services (regulates massage therapy schools)
- d. If the division of responsibility among these agencies is not clear, please explain.

## 2. Types of Educational Providers Authorized

- a. Please indicate the types of institutions that your agency authorizes, using the list below. Please answer “yes” or “no” to each item. Feel free to provide a short explanation of any ambiguity, including any necessary clarification of “in-state,” “out of state,” or other terminology.
- No\* Public, in-state degree granting institutions
  - Yes+ Public, out-of-state degree granting institutions
  - Yes\* Private, in-state, not-for-profit degree granting institutions
  - Yes+ Private, out-of-state, not-for-profit degree granting institutions
  - Yes Private, in-state, for-profit degree granting institutions
  - Yes+ Private, out-of-state, for-profit degree granting institutions
  - No\* Public, in-state, non-degree granting institutions
  - Yes Public, out-of-state, non-degree granting institutions
  - Yes Non degree, not-for profit institutions
  - Yes Non degree, for-profit institutions
  - Yes Religious institutions
  - Yes Tribally-controlled institutions

Clarifying comments:

\* Exempt from Career School or Colleges licensure requirements, by Texas Education Code, Chapter 132. §132.002 (g) – this refers to selected public and private nonprofit postsecondary institutions as defined by TEC §61.003.

+ Effective September 1, 2011, certain out of state, degree granting schools that only offer postsecondary distance education in Texas are excluded from the definition of career schools. More detail provided in responses to subsequent questions in this questionnaire.

- b. Is an institution required to obtain approval from more than one agency to be authorized in your state (excluding purely programmatic approvals)? If so, please explain.

In addition to a license or exemption from our agency, degrees programs must be authorized by the Texas Higher Education Coordinating Board.

- c. Is accreditation required for an institution to be authorized in your state?  
Not to obtain a career school license from TWC.

- o If yes, please explain:

However:

- Degree granting authority provided by the Texas Higher Education Board is linked to accreditation.
- As of Sept. 1, 2011, out of state, degree granting institutions that are authorized in their state to offer postsecondary education and to award degrees and are accredited by a U.S. Dept. of Ed.-recognized accrediting agency, do not require a career school license to offer only postsecondary distance education only in Texas.

- o If yes, what type of accreditation is required? Please, check all that apply as appropriate.

- Regional  
 National  
 Programmatic/specialized

Clarifying comments:

- d. Does your agency authorize specific academic programs offered by institutions or only institutions themselves?

Both – the school must be licensed and the school's postsecondary occupational programs must be approved.

- e. Do programs in certain subject areas require the separate approval by another state entity; for example, a professional licensing agency?

**Education**

Texas Education Agency  
Educator Certification & Standards  
1701 North Congress Ave, WBT 5-100, Austin, TX 78701-1494  
512.936.9831

**Nursing**

Texas Board of Nursing  
333 Guadalupe, Suite 3-460, Austin, TX 78701  
512.305.6816

**Social Work**

Texas Department of State Health Services  
P.O. Box 149347, Austin, Texas 78714-9347  
512.776.6586

**Counseling Psychology**

Texas State Board of Examiners of Psychologists  
333 Guadalupe, Tower 2, Room 450, Austin, Texas 78701  
512.305.7700

**Allied Health Professions and related programs**

Texas Health and Human Services Commission  
Brown-Heatly Building, 4900 N. Lamar Blvd., Austin, TX 78751-2316  
512.424.6500

Texas Department of State Health Services  
P.O. Box 149347, Austin, Texas 78714-9347  
512.458.7111  
<http://www.dshs.state.tx.us/plc/default.shtm>

Texas Department of Aging and Disability Services  
P.O. Box 149030, Austin, Texas 78714-9030  
512.438.3011

**Others**

Texas Department of Licensing and Regulation Cosmetology Program  
P.O. Box 12088, Austin, Texas 78711  
512.936.8438

### 3. Exemptions

- a. Are certain institutions or programs exempt by law or policy from your state authorization requirements

- If yes, please describe which institutions or programs the exemption applies to and how it works? If available, please provide any pertinent web links.

There are a variety of exemptions. Please see “What is a Career School or College?” at <http://www.twc.state.tx.us/svcs/propschools/what-is-career-school-college.pdf> and “General Exemptions” at

<http://www.twc.state.tx.us/svcs/propschools/ps017.pdf>.

- If yes, how does the institution or program claim an exemption? For example, is the exemption automatic as long as it meets specified criteria, does the institution or program notify the agency and the exemption is granted, is there an application process, etc.?

Although some entities are automatically exempt, in general, institutions must apply for exemptions in writing. Instructions are provided in the General Exemption Guide, link provided above.

- b. If an institution or program is exempt from state authorization, are there any other state requirements that an institution would need to fulfill in order to operate in your state (e.g., providing contact information, list of programs, etc.)?

Not for this agency, with the exception of out of state, degree granting institutions that are authorized in their state to offer postsecondary education and to award degrees and are accredited by a U.S. Dept. of Ed.-recognized accrediting agency, which offer only postsecondary distance education only in Texas (as of Sept 1, 2011). These institutions must post a conspicuous notice on the home page of their websites stating:

(1) that the career school or college is not regulated in Texas under Chapter 132 of the Texas Education Code;

(2) the name of any regulatory agencies that approve and regulate the school's programs in the state where the school is physically located and in which it has legal authorization to operate; and

(3) how to file complaints or make other contact with applicable regulatory agencies.

An institution exempt from career school regulation may also require degree program approval from the Texas Higher Education Coordinating Board or program approval from other discipline-specific agencies. There may be other state or local business requirements for the entity.

- c. Does your state constitution or do your state laws provide any exemptions for religious institutions?

Yes.

- Are all religious institutions exempt (please describe)?  
No. Exempt, with application/approval are: §132.002 (2) a nonprofit school owned, controlled, operated, and conducted by a bona fide religious, denominational, eleemosynary, or similar public institution exempt from property taxation under the laws of this state;
- Are religious institutions that award only religious degrees or certificates exempt (please describe)?  
Not from Chapter 132 – see above. However, Texas Higher Education Coordinating Board does not regulate purely religious institutions, but please ask them for details.
- Are certain religious institutions exempt that meet other criteria (please describe)?  
Yes. As noted two items above, there is an exemption from career school licensure requirements available for a non-profit school owned, controlled, operated, and conducted by a bona fide religious or denominational institution exempt from property taxation. Instructions for applying for this exemption are provided in “General Exemptions” at <http://www.twc.state.tx.us/svcs/propschools/ps017.pdf>.

Please consult with the Texas Higher Education Coordinating Board regarding for degrees granted by religious organizations.

#### 4. Authorization of Distance Education

- a. Does your agency require purely (100%) distance education programs, including online or correspondence study programs that enroll residents of your state, to be authorized without regard to physical presence?  
Yes. Soliciting or enrolling Texans regardless of location or method of education delivery is operating in the state. There is one recent exception as of Sept. 1, 2011: out of state, degree granting institutions that are authorized in their state to offer postsecondary education and to award degrees and that are accredited by a U.S. Dept. of Ed.-recognized accrediting agency, and offer only postsecondary distance education in Texas.
- b. If not, does your agency determine whether an institution must be authorized based on a physical presence or “operating” standard?  
Both physical presence and enrollment of Texas residents can drive the need for licensure in Texas. See below.

## 5. Physical Presence Policy – Common “Triggers”

- a. If your agency uses a physical presence standard, how does your agency define physical presence? If available, please provide a link to that policy or a citation to the relevant regulation giving that standard.

Both physical presence and enrollment of Texas residents can drive the need for licensure in Texas.

The definition of a Career School, with several key interlinking terms, is found in the Definitions in Texas Education Code, §132.001:

(1) "Career school or college" means any business enterprise operated for a profit or on a nonprofit basis that maintains a place of business within this state or solicits business within this state, that is not specifically exempted by this chapter, and:(A) that offers or maintains a course or courses of instruction or study; or (B) at which place of business such a course or courses of instruction or study are available through classroom instruction or by distance education, or both, to a person for the purpose of training or preparing the person for a field of endeavor in a business, trade, technical, or industrial occupation, or for avocational or personal improvement.

(1-a) "Class" or "course" means an identifiable unit of instruction that is part of a program of instruction.

(14) "Program" or "program of instruction" means a postsecondary program of organized instruction or study that may lead to an academic, professional, or vocational degree, certificate, or other recognized educational credential.

(13) "Distance education" means a formal education process in which:(A) the student and instructor are separated by physical distance; and(B) a variety of communication technologies may be used to deliver synchronous or asynchronous instruction to the student.

- b. Please specify whether any of the following activities would constitute a physical presence or signify “operating” in your state, assuming that the named activity is the institution’s sole activity in your state. **Please answer “yes” or “no” to each question. In addition you may provide a short explanation of any ambiguity.**
- Permitting a student to complete an internship, externship, field experience, or clinical practicum **organized** by the institution?  
In most cases. It depends on whether (1) the experience is a required component of the training program (it would be unusual for it not to be), and (2) the school is delivering the experience itself.

- Does this apply only to distance education students or more generally?

Both. An out of state school offering only these activities in Texas and otherwise not operating in Texas -- not soliciting, enrolling or teaching Texas residents at all – is not considered operating in the state.

For these cases, the following must apply:

- It offers the opportunity for its students (not Texas residents) to choose externship opportunities in Texas; and
- The school or its staff are not supervising or conducting training as part of that experience in Texas, but rather the experience is supervised purely by the employer/placement institution. This sort of arrangement is common practice, for example, with nursing preceptors who oversee a clinical experience.

- Permitting a student to complete an internship, externship, field experience, or clinical practicum found by the student acting independently?

Probably not – see responses above.

- Does this apply only to distance education students or more generally?

Both. See responses as above.

- Employing full-time faculty in the state to provide instruction via distance education programs to students in the state?

Yes. This is providing education to Texans.

- What about adjunct faculty?

Yes.

- Employing full-time faculty in the state to provide instruction via distance education programs solely to students outside of the state?

Not if that is the only condition, but in combination with other conditions/elements of presence, quite possibly. Where faculty may be physically located in a distance education context can be very different from the location of the school's operations itself and also, on its own, has nothing to do with whether solicitation or enrollment of Texans occurs.

- What about adjunct faculty?

Same response as above.

- Having a contract/agreement between the institution and in-state institutions or in-state entities to provide services for students (i.e. library, gym, computer centers, etc.)?  
 Not alone, unless it reflects solicitation of or training program delivery to students in Texas or to Texans. It seems likely that such services would be in conjunction with enrolling/teaching Texans.
- Organized, consistent, on-the-ground recruiting of students in the state by employees or agents of the institution?  
 Yes. This is soliciting students in Texas and soliciting Texans.
  - What if the agent is only recruiting students in the state on an occasional basis (i.e. at job fairs)?  
 Yes. This is soliciting students in Texas and soliciting Texans.
- Advertising in local media sources that are largely viewed by residents of the state?  
 Assume you mean local media located outside the state but serving a Texas market. Potentially – if Texans can enroll, yes. See response below.
- Advertising in national media sources that can be accessed by residents of the state?  
 Not in and of itself, unless content of advertising targets Texas/Texans, or Texans are in fact being solicited and enrolled in response to advertisements.

If not licensed for Texas, schools may not solicit Texans, including active pursuit of Texans following an inquiry, or enroll Texans. It is good practice on a national website or in major marketing campaign content to include usefully placed messages that the school is not licensed to solicit or enroll Texas residents. More critically, student recruitment procedures used by the school to provide information to inquirers, pursue prospects, and enroll students must exclude Texas residents early on in the recruitment process.

Please note the exception already identified for out of state, degree granting institutions that are authorized in their state to offer postsecondary education and to award degrees and are accredited by a U.S. Dept. of Ed.-recognized accrediting agency, and offer only postsecondary distance education in Texas (as of Sept 1, 2011). These institutions do not require a career school license, but must post a conspicuous notice on the home page of their websites stating: (1) that the career school or college is not regulated in Texas under Chapter 132 of the Texas Education Code;

(2) the name of any regulatory agencies that approve and regulate the school's programs in the state where the school is physically located and in which it has legal authorization to operate; and  
(3) how to file complaints or make other contact with applicable regulatory agencies.

- Having computer servers or other equipment located in the state?  
Not if that is the only condition.
- Hosting short term, face-to-face, seminars or conferences in the state where students meet in person?  
Yes. This is delivering education in Texas and presumably to Texans.
- Employing mentors, tutors, or preceptors in the state to aid students, who are residents of the state, on an individual basis?  
Yes, if enrolling and delivering education to Texas residents.

Potentially not, if a student is not a Texan but at the conclusion of his/her coursework at an out of state school s/he selects a clinical or internship opportunity in Texas, individually proctored at a site in Texas. Who the proctor is paid by and scope of proctoring responsibilities (is it a one-off case or several students supervised?) could make a difference. See also answers on page 8 above, toward the beginning of 5(b) concerning externships.

- Requiring a student to take a proctored exam at a location or with an entity in the state prescribed by the institution?  
Potentially. It suggests enrollment and education of Texans. If associated with a conclusion-of-course activity for a student that comes to Texas for externship, perhaps not.
- Requiring a student to take a proctored exam with an entity in the state chosen by the student but approved by the institution?  
Same as answer above.
- Other [please explain]

- c. Of the activities or conditions listed above that alone would not constitute a physical presence, are there any that if combined would create a physical presence?

They would increase the chances, but it depends on the impact. As has been noted, either physical presence or enrollment of Texas residents can drive the need for licensure in Texas. Multiple conditions are more likely to imply either or both.

## 6. Application Process

- a. Please provide a short description of the application process to obtain state authorization. If available, please provide web links to the specific references to all applicable state laws, regulations, manuals, forms, or other pertinent documents.

All of the following must occur before TWC can issue a Certificate of Approval:

- A complete application and fees must be submitted including all of the following key approvals.
- The courses of instruction must be submitted and approved.\*
- A School Director is required. The application for that individual must be approved. If there is a Director of Education, that individual must be approved.
- Applications for the school's instructors must be approved.\*
- Applications for representatives (the employees of the school that discuss the school with the public) must be approved.
- A school catalog, school advertising, and enrollment materials meeting information requirements must be approved.
- The facilities and equipment must be inspected and approved.
- Audited financial statements demonstrating adequate financial stability must be submitted and approved.

\*A career school or college may offer a degree approved by the Texas Higher Education Coordinating Board. Instructors for the degree programs are also approved by the Board. If you are considering offering degree programs, you will need to contact the Academic Programs Division of the Texas Higher Education Coordinating Board, at 512.427.6238 to discuss their requirements

Additional information is available at our [Considering Opening a Career School? Page](http://www.twc.state.tx.us/svcs/propschools/considering-schools.html), at <http://www.twc.state.tx.us/svcs/propschools/considering-schools.html> especially the [General Information Sheet on Career Schools and Colleges](#) and the [New School Application Packet](#).

- b. Generally, how long does it take to approve applications (assuming that the agency has received all required information from the institution)? Please provide a typical range if appropriate.

It is not possible to define or pin down timing answer for an “ideal”, or complete application which is rare. In actuality, the average processing time for applications at last measurement was 4 months.

- c. What is the authorization duration?

Licensure is for one year and has to be renewed annually. There are three year licenses for small schools but they have some annual submission requirements.

- d. What does an institution need to do to maintain authorization?  
Submit an application for renewal, pay fees, remain compliant on an ongoing basis and submit information as may be required for changes in operations, student complaint response, or business.

See General Information Sheet:

<http://www.twc.state.tx.us/svcs/propschools/ps001a.doc>

Application materials:

<http://www.twc.state.tx.us/svcs/propschools/propforms.html#newschool>

- e. What kinds of information or data must an institution report to your agency as a condition for continued authorization? How frequently is this reported or updated? Is this information published or shared publicly?

See General Information Sheet:

<http://www.twc.state.tx.us/svcs/propschools/ps001a.doc>

Application Materials:

<http://www.twc.state.tx.us/svcs/propschools/propforms.html#newschool>

Forms:

<http://www.twc.state.tx.us/svcs/propschools/propforms.html#schoolForms>.

Among the requirements are for annual reporting of school directory level information, regulated programs, and student outcomes for vocational programs (PS-072). Selected data from this is posted on the Directory of Licensed Career Schools and Colleges <https://services.twc.state.tx.us/PECOSRPT/propschool>. Financial statements are required annually. This information is not published although it is subject to open records requests.

- f. Can an institution lose its authorized status? If so, how?  
TWC can revoke approval for failure to remain compliant.
- g. Can a multi-institutional system or college corporation apply to your agency for authorization on behalf of all of its component institutions? If so, please describe the process.  
No. Each campus/school must be individually licensed.
- h. Would multi-institution public systems be treated the same as multi-location for-profit institutions?  
Yes, although in-state public institutions are exempt from licensure requirements.
- i. What distinctive features in your authorization process would be useful for applicants to know (e.g., certain times during the year that you process applications for authorization, sharing of applications or information about

proposed programs with institutions or other stakeholders in your state for comment)?

It may be important for schools to be aware that Texas requires program-specific student outcome reporting and a minimum rate of employment in the occupation trained in order to maintain program approval. Also, that Texas actively investigates student complaints, issuing enforceable refund orders and/or sanctions in response to findings of violations of the law or career schools rules.

j. Is your agency currently planning to amend its application process by the end of 2011?

No.

- o If yes, please provide a brief description of the anticipated change.
- o If yes, when does the agency expect the change to be fully implemented?

## 7. Fees Associated with Authorization

a. Is there an application fee to initiate the authorization process? If so, what is the fee or fee schedule? Please provide a web link if available.

Yes. \$3,000 for “large” schools plus applicable staff approval fees. The fee schedule is published on the fee sheet at:

<http://www.twc.state.tx.us/svcs/propschools/ps186.pdf>

b. Are there any other costs associated with the state authorization process (e.g. site visits, hiring a reviewer, surety bond, tuition recovery fund, agent licensing, etc.)?

Accountant services to prepare necessary financial statements. On occasion a special bond to cover unique circumstances.

c. What are the costs, if any, to renew authorization?

0.17% of gross tuition and fees, less refunds, or \$500, whichever is greater. (For out-of-state schools, only TX student tuition and fees are used to calculate the renewal fee.) Representative renewal fees are \$45 per representative.

d. What costs are associated with receiving a waiver or exemption to authorization?

None

## 8. Interstate Reciprocity

a. Do your state regulations explicitly allow or prohibit interstate reciprocal agreements about authorization? If so, please describe.

No.

b. What is the process, if any, to obtain a reciprocal agreement with your state?

- c. Are there any reciprocal agreements currently in place or under consideration? If so, please list those agreements.
- d. If interstate reciprocal agreements are not addressed in your regulations, would your agency consider establishing such agreements? Please elaborate.

## 9. Consumer Protection and Student Complaints

- a. Does your agency have a process for handling complaints about postsecondary institutions or programs?

Yes.

- o If yes, please describe the process or provide a web link to the material that describes the complaint process.

A current or recent student of a career school or college and having a problem with their school should first attempt to get the school to address the concerns, following the "Grievance" or "Complaints" policy that will be explained in the school catalog. If the problem is not resolved, or for some reason the student does not wish to follow the school's process, the student may file a complaint with TWC.

To file a complaint, the student must complete the Student Complaint Form. More information is available on our Having Problems with Your School? Please see Webpage at:

<http://www.twc.state.tx.us/svcs/propschools/problem-school.html> .

- o If yes, does this complaint process extend to institutions not authorized by the agency that may enroll residents of the state (such as explicitly distance education programs with no physical presence or exempt institutions)?

It extends to any school licensed by TWC, or any entity meeting the definition of a career school or college operating in the state that does not have the necessary license or exemption from TWC to legally do so. It does not apply to schools automatically exempt from the licensure requirement or with a granted exemption letter from TWC.

Please see prior answers to questions on how licensure requirements apply to out of state / distance education providing entities. As discussed there, if Texans are being solicited or enrolled, the school needs to have a license or an exemption if eligible. All such schools are subject to TWC enforcement including student complaint investigation and possible sanctions as a result if violations of career schools law or rule are found.

- If available, please provide a web link to the complaint form.  
The link is available from our [Having Problems with Your School?](#) and [Career Schools and Colleges Forms](#) pages.
  - Who is the contact person for receiving complaints? Please include name, title, address, phone, and email if available.  
No particular person. Instructions for filing/submitting the complaint are on the form. It is submitted by mail to:  
TWC-Career Schools and Colleges  
101 East 15th Street, Room 226T, Austin, Texas, 78778-0001  
by fax to 512-936-3111  
by email to [career.schools@twc.state.tx.us](mailto:career.schools@twc.state.tx.us).  
The department can be reached by phone at 512-936-3100.
- b. If your agency has no formal process for handling complaints related to postsecondary institutions, what state agency would handle a complaint?

## 10. Enforcement

- a. If your agency finds that an institution or program is operating in your state without authorization, what is the resulting warning or enforcement action?  
A school that operates illegally is subject to significant financial risks and enforcement actions, including one or more of the following:
- a legal order to cease and desist immediately from operating illegally;
  - administrative or civil penalties (fines); and
  - the obligation to fully refund students because the school's educational contracts with them are not valid and therefore not enforceable.
- b. Can an institution or program appeal a warning or enforcement action? If yes, please describe the process or provide web links to the regulations/policies.  
For a warning, no. For enforcement action, depends on context. For appeals details, see career school rules, Subchapters S & T at:  
<http://www.twc.state.tx.us/twcinfo/rules/ch807.pdf> .

## 11. Legislative or Regulatory Changes

- a. Is your agency or state legislature planning to amend its regulations or alter its physical presence policy by the end of 2011?  
Yes.

- If yes, please provide a brief description of the anticipated change. Pursuant to bills passed in the most recent legislative session, the definition of career school or college has recently or will change to exclude:

Effective June 17, 2011:

- Certain schools or training programs that offer only avocational or recreational instruction or teacher instruction for the following subjects:

- (1) dance;
- (2) music;
- (3) martial arts;
- (4) yoga;
- (5) physical fitness;
- (6) horseback riding;
- (7) riflery or other weapon use;
- (8) sewing, knitting or other needlecrafts; or
- (9) sports.

Effective September 1, 2011:

- Certain out of state, degree granting schools that only offer distance education in Texas. Such schools must be:

- (1) physically located in a state other than Texas;
- (2) legally authorized by the state of its physical location to offer postsecondary education and award degrees;
- (3) accredited by a regional or national accrediting organization recognized by the United States secretary of education under the Higher Education Act of 1965 (20 U.S.C. Section 1001 et seq.); and
- (4) offer in Texas only postsecondary distance or correspondence programs of instruction.

These schools must post a conspicuous notice on the home page of their websites stating:

- (1) that the career school or college is not regulated in Texas under Chapter 132 of the Texas Education Code;
- (2) the name of any regulatory agencies that approve and regulate the school's programs in the state where the school is physically located and in which it has legal authorization to operate; and
- (3) how to file complaints or make other contact with applicable regulatory agencies.

- Training that is not postsecondary. Postsecondary training is that which requires a student to have a high school diploma or high school

equivalency certificate or requires that the person be beyond the age of compulsory education (18 years of age).

- Schools offering programs in yoga or in training persons to teach yoga are specifically excluded from the definition of postsecondary.

- If yes, when does the agency expect the change to be fully implemented?  
Noted above.

b. Is your agency or state legislature making changes in your state regulations or statutes so that institutions with locations in your state would be considered legally authorized in accordance with the federal institutional eligibility regulations?

Yes.

- If yes, please provide a brief description of the anticipated change.  
HCR 129 serves notice to the U.S. Dept. of Education that the state has processes for several state agencies to authorize career schools and colleges, by name, to operate.

HJR 130 lists, by name, private postsecondary educational institutions authorized to operate.

- If yes, when does the agency expect the change to be fully implemented?  
Both were implemented June 17, 2011.

c. Is your agency or state legislature making any other changes in your state regulations or statutes with regard to state authorization?

No.

- If yes, please provide a brief description of the anticipated change.
- If yes, when does the agency expect the change to be fully implemented?

**12. Is there anything else about the authorization process in your state that we and others ought to know about?**