

Texas Workforce Commission-Career Schools and Colleges Exemption Requests

- (a) A school seeking an exemption must apply to the Commission for an exemption under **§132.002 or §132.003 of the Texas Education Code**
- (b) The Commission may **deny or revoke** an exemption if it determines that the school does not meet the requirements for the exemption or has failed to maintain the eligibility criteria for which it was granted.
- (c) A school may **appeal the denial or revocation** of an exemption in accordance with the provisions of Subchapter D of Chapter 132 of the Texas Education Code.

SCHOOL INFORMATION

All requests for exemption must provide the following information:

- (1) School name:
- (2) School address:
- (3) School telephone number:
- (4) School website (if applicable):
- (5) Ownership name:
- | | |
|--------------------|---------------------|
| (6) Owner(s) name: | Owner phone number: |
|--------------------|---------------------|

COURSE OF INSTRUCTION INFORMATION

- (7) Name of course of instruction(s):
- (8) Objective of course of instruction:
- (9) Length of course (lecture/lab/externship/total):
- (10) Cost of course:

Schools requesting an exemption under the following sections, **must provide the listed information for that section. The Commission may request additional information as needed in determining an institution meets exemption requirements**

	<p>(1) Section 132.002(a)(1). School supported by taxation from either a local or state source.</p> <p><input type="checkbox"/> Evidence that the school is supported by taxation. At least a simple majority (51 percent) of the revenue derived for continued operations must be tax dollars from either a state or local source; this does not include federally funded programs.</p>
	<p>(2) Section 132.002(a)(2). School owned, controlled, operated, and conducted by a bona fide religious, denominational, eleemosynary, or similar public institutions exempt from property taxation.</p> <p><input type="checkbox"/> (A) Evidence that the school is nonprofit;</p> <p><input type="checkbox"/> (B) Evidence that the school is owned, controlled, operated and conducted by a bona fide religious, denominational, eleemosynary or public institution;</p> <p><input type="checkbox"/> (C) Evidence that the school is exempt from property taxation; and</p> <p><input type="checkbox"/> (D) If a school participates, or intends to participate, in student financial aid programs under Title IV, eligibility must be demonstrated.</p>
	<p>(3) Section 132.002(a)(3). School offering only avocational or recreational courses.</p> <p><input type="checkbox"/> (A) Objective of course and an explanation of how the course is taught for purely avocational or recreational purposes. A course taught for purposes of preparing persons for paid employment or for the continuing education of a profession, cannot be considered for purposes of this exemption; and</p> <p><input type="checkbox"/> (B) Types of students (examples: homemakers, general public, etc.).</p>

	<p>(4) Section 132.002(a)(4). Course that is employer sponsored.</p> <p><input type="checkbox"/> (A) Employer name, mailing address, email address and telephone number;</p> <p><input type="checkbox"/> (B) Name, objective, length and cost of course offered; and</p> <p><input type="checkbox"/> (C) Notarized affidavit from the school stating that no students other than employer sponsored will be solicited or enrolled. Further, the employer will bear all the tuition costs and the employee will not be required to reimburse the employer by means of cash, production of work without pay, or any other means.</p>
	<p>(5) Section 132.002(a)(5). Course sponsored by a trade, business, or professional organization.</p> <p><input type="checkbox"/> (A) Letter from each recognized trade, business or professional organization that will sponsor students. This letter must include an explanation as to how the membership is closed. Membership is not closed if any member of the public can join; and</p> <p><input type="checkbox"/> (B) Notarized affidavit from school stating that no students other than members of the organization(s) referenced in (A) above will be solicited or enrolled.</p>
	<p>(6) Section 132.002(a)(6). Private College or University.</p> <p><input type="checkbox"/> (A) Proof of certificate of authorization from the Texas Higher Education Coordinating Board (THECB) to grant baccalaureate or higher-level degrees or a letter from THECB indicating that THECB approval is not required;</p> <p><input type="checkbox"/> (B) Proof the school is accredited by a THECB recognized accrediting body;</p> <p><input type="checkbox"/> (C) Proof the school or college is in good standing with the designated accrediting body; and</p> <p><input type="checkbox"/> (D) Proof that a simple majority of the credits given are transferable to a college, junior college, or university supported entirely or partly by taxation from either a local or state source.</p>
	<p>(7) Section 132.002(a)(7). School or course regulated by a third-party entity.</p> <p><input type="checkbox"/> (A) Copy of certificate, license, letter or other document showing approval of your school/course under another law or rulemaking process of this State; and</p> <p><input type="checkbox"/> (B) Name, address and phone number of the office enforcing the State law by which your school is regulated and approved; or</p> <p><input type="checkbox"/> (C) Letter from an organization that accredits courses for the maintenance of a license, stating that this course is approved and required for Continuing Education credit.</p>
	<p>(8) Section 132.002(a)(8). Aviation approved by Federal Aviation Agency.</p> <p><input type="checkbox"/> Copy of the FAA Certificate for the course(s) or school.</p>
	<p>(9) Section 132.002(a)(9). School offering education, training, or experience review or degree program admission preparation.</p> <p><input type="checkbox"/> (A) Purpose of review or preparation; and</p> <p><input type="checkbox"/> (B) Name of examination or degree admission test being studied for.</p>
	<p>(10) Section 132.002(a)(10). Private Primary or Secondary education school.</p> <p><input type="checkbox"/> A notarized affidavit stating that the school will offer only pre-k, kindergarten, elementary and secondary education, that satisfies compulsory attendance requirements of Section 25.085 of the Texas Education Code pursuant to Section 25.086 (a)(1) and will not offer a vocational training program or seminar.</p>

	<p>(11) Section 132.002(a)(11). Course by electrical trade associations.</p> <ul style="list-style-type: none"> <input type="checkbox"/> (A) Name, mailing address, email address and telephone number of the Electrical Trade Association; and, of the school operated by the association, if different; <input type="checkbox"/> (B) Notarized affidavit identifying the name of the Electrical Trade Association and explaining how it owns, controls, operates and conducts the school; and <input type="checkbox"/> (C) Information explaining how the course(s) will prepare students for initial licensure and renewal of license.
	<p>(12) Section 132.002(a)(12) Arts program for persons under 19 years of age.</p> <ul style="list-style-type: none"> <input type="checkbox"/> (A) Proof of nonprofit status; and <input type="checkbox"/> (B) Letter from the organization which explains that the primary purpose is instruction in the dramatic arts or the communications media and how the training will be closed to those persons 19 years of age or older.
	<p>(13) Section 132.002(a)(13). Course by air conditioning and refrigeration non-profit associations.</p> <ul style="list-style-type: none"> <input type="checkbox"/> (A) Proof association is nonprofit; <input type="checkbox"/> (B) Proof the association has legal approval to offer training in this state; <input type="checkbox"/> (C) Notarized affidavit identifying the name of the Air Conditioning and Refrigeration Contractors Association that conducts the course or training program; and <input type="checkbox"/> (D) Information explaining how the course(s) will prepare students for initial licensure and renewal of license.
	<p>(14) Section 132.002(a)(14). Course by plumbing trade association.</p> <ul style="list-style-type: none"> <input type="checkbox"/> (A) Proof the association has legal approval to offer training in this state; <input type="checkbox"/> (B) Notarized affidavit identifying the name of the Plumbing Trade Association and explaining how it conducts the school/course; and <input type="checkbox"/> (C) Information explaining how the course(s) will prepare students for initial licensure and renewal of license.
	<p>(15) Section 132.002(a)(15). Course for computer hardware or software training.</p> <ul style="list-style-type: none"> <input type="checkbox"/> (A) Description detailing the primary business of the company offering hardware or software training. <input type="checkbox"/> (B) Notarized affidavit identifying that offering courses in hardware or software training is not the primary business <input type="checkbox"/> (C) Name(s) of specific hardware or software manufactured or developed, and sold, by the company that may be purchased from the company as a prerequisite for providing training. <input type="checkbox"/> (D) Copy of the sales contract for purchase of the course.
	<p>(16) Section 132.002(b). Course that is non-student funded.</p> <ul style="list-style-type: none"> <input type="checkbox"/> (A) Explanation of the nature of the group(s) of students to be served by/enrolled in the course(s), including eligibility or enrollment criteria; <input type="checkbox"/> (B) Explanation of how the course(s) are of special study, developed or offered specifically by contract for this specific group of students, and open only to those students (and not open to the public); and <input type="checkbox"/> (C) Copy of the contract signed by responsible parties, stating the names of principals in contract, beginning and ending dates of the contract, and the scope of work or deliverables.

Course Exemption. A school may request to have a specific course exempted from Chapter 132 of the Texas Education Code and Chapter 807 of the Texas Administrative Code if they meet these requirements:

- (1) It is 24 hours or less in length;
- (2) It costs less than \$500;
- (3) It is a course that is designed to teach one of the following:
 - (A) knowledge or skills to maintain or enhance a person's competency or performance in a business, trade, or occupation; or
 - (B) recreational or avocational subjects; and
- (4) It is a course in which **there is not an award of any credits or units toward the completion of another course of more than 24 classroom hours**, on completion of the course;
- (5) Schools requesting an exemption under the following sections, must provide the listed information:
 - (A) objective of course and an explanation of how the course is designed to teach knowledge or skills to maintain or enhance a person's competency or performance in a business, trade or occupation;
 - (B) sample of cancellation and refund policy;
 - (C) notarized affidavit attesting that the school will:
 - 1. the school will provide a written description of the course content and refund policy to students no later than the 14th day before the date the course begins; and
 - 2. the school will not enroll students or accept applications for enrollment within 14 days of the course start date; or has another method to document that registrants have received a written description of the course content and any refund policy not later than the 14th day before the date the course begins and
 - 3. for the three-year period following the date the course is concluded, the school will maintain records sufficient to identify the differences between advertised instructors and their qualifications and actual instructors and their qualifications; and
 - 4. for the three-year period following the date the course is concluded, the school will maintain a record of registrants' attendance, fees paid by registrants and any refunds paid to registrants; and
 - 5. the school will provide these records to the Commission upon request, if within the three-year record retention period.
 - (D) If enrollments are accepted within 14 days of the course start date, a complete description of the method that will document that registrants have received:
 - a written description of the course content and
 - refund policy not later than the 14th day before the date the course begins.
 - (E) Complete physical address for location where records will be stored and Information relating to records storage, to include:
 - Name of Records Storage Facility:**
 - Physical address:**
 - Telephone number**
 - Email address (if applicable):**
 - Contact person:**
 - Preferred method of contact:**