



**OFFICE OF THE ATTORNEY GENERAL OF TEXAS  
AUSTIN**

**GERALD C. MANN  
ATTORNEY GENERAL**

Mrs. Ella Mae Murphy, Member  
State Board of Hairdressers and Cosmetologists  
Austin, Texas

Dear Madam:

Opinion No. O-2279

Re: Right of cosmetologist students  
to claim credit for time spent in one  
school after transferring to another.

This will acknowledge receipt of your letter of  
April 23, 1940, in which you seek an opinion of this depart-  
ment on the following question:

"In view of Article 734b, Sections 10a and  
11a, we would appreciate an opinion as to the  
authority vested within the Board, with reference  
to the daily records of attendance of students.  
If a student has spent a specified amount of time  
in a certain school, and should decide to transfer  
to another school, would we have a right to give  
the student credit for the hours spent in the  
first school before same has been authorized by  
that school?"

Pursuant to our request for additional information,  
you state in your letter of May 23, 1940:

"In reply to your request of May seventh,  
each school mails this Office a monthly record  
as to the hours each student completed that parti-  
cular month. Often a student for some reason  
wishes to transfer to another school. Do we have  
the authority to furnish the school to which a  
student is transferring the hours we have on re-  
cord in our Office without first securing the  
approval of the school from which the student is  
transferring?"

"In many of the schools a student is required  
to sign a contract and note, the tuition being pay-

Mrs. Ella Mae Murphy, Page 2

ed by installments, for a beauty course of one thousand hours over a period of six months; and for this reason the particular school cited to you in our letter of April twenty-third is not willing to permit us to furnish the school to which the students are transferring their record as to hours and time spent in school."

Subsection (a) of Section 11, Article 734b of the Penal Code provides in part, that each school:

"....shall keep a daily record of the attendance of students; maintain regular class and instruction hours, establish grades and hold examinations before issuing diplomas, and shall require a school term of not less than one thousand (1,000) hours to be completed in not less than six (6) months for a complete course of all or a majority of the practices of hairdressing and cosmetology."

Where a student transfers from one duly licensed school to another, he or she would be entitled to credit for the number of hours spent in the first school. We believe it to be your duty to certify to the second school, upon request therefor, the number of hours spent by the student in question in the first school as reflected by your records.

Yours very truly

ATTORNEY GENERAL OF TEXAS

By *Lloyd Armstrong*  
Lloyd Armstrong  
Assistant

LA:AN

APPROVED MAY 24, 1940

*Gertrude Marx*

ATTORNEY GENERAL OF TEXAS

