

By: Van de Putte

S.B. No. 309

A BILL TO BE ENTITLED

AN ACT

relating to the requirement that a career school or college adopt a refund policy for students called to active military service.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter C, Chapter 132, Education Code, is amended by adding Section 132.0611 to read as follows:

Sec. 132.0611. REFUND POLICY FOR STUDENTS CALLED TO ACTIVE MILITARY SERVICE. As a condition to receiving a certificate of approval under this chapter, including a renewal of a certificate of approval, a career school or college must maintain, and include in the school or college's catalogue and enrollment contract, a policy under which a student of the school or college who withdraws from the school or college as a result of the student being called to active duty in a military service of the United States or the Texas National Guard may elect one of the following options for each course in which the student is enrolled:

(1) a refund of any tuition, fees, or other charges paid by the student for the course;

(2) a grade of incomplete with the designation "withdrawn-military" for the course on the student's transcript, and the right to re-enroll in the course not later than the first anniversary of the date the student is discharged from active military duty without payment of additional tuition, fees, or other charges for the course; or

1 (3) the assignment of an appropriate final grade or
2 credit for the course, but only if the instructor of the course
3 determines that the student has:

4 (A) satisfactorily completed a substantial
5 portion of the required coursework; and

6 (B) demonstrated sufficient mastery of the
7 course material to receive credit for completing the course.

8 SECTION 2. Section 132.055(b), Education Code, is amended
9 by adding Subdivision (19) to read as follows:

10 (19) The school or college maintains a policy
11 regarding students called to active military service that meets the
12 requirements prescribed by Section 132.0611.

13 SECTION 3. Section 132.201(a), Education Code, is amended
14 to read as follows:

15 (a) Certificate and registration fees, except those charged
16 pursuant to Subsection (d), shall be collected by the commission.
17 Each fee shall be in an amount set by the commission in an amount not
18 to exceed 150 percent of each fee in the following schedule:

19 (1) the initial fee for a career school or college:

20 (A) for a certificate of approval is \$2,000; or

21 (B) for a small career school or college
22 certificate of approval is \$1,000;

23 (2) the first renewal fee and each subsequent renewal
24 fee for a career school or college is the greater of:

25 (A) an amount that is determined by applying a
26 percentage, not to exceed 0.3 percent, to the gross tuition and
27 fees, excluding refunds as provided by Section 132.061 or 132.0611,

1 of the school or college; or

2 (B) \$500;

3 (3) the initial registration fee for a representative
4 is \$60;

5 (4) the annual renewal fee for a representative is
6 \$30;

7 (5) the fee for a change of a name of a career school or
8 college or owner is \$100;

9 (6) the fee for a change of an address of a career
10 school or college is \$180;

11 (7) the fee for a change in the name or address of a
12 representative or a change in the name or address of a career school
13 or college that causes the reissuance of a representative permit is
14 \$10;

15 (8) the application fee for an additional program is
16 \$150, except for seminars and workshops, for which the fee is \$25;

17 (9) the application fee for a director, administrative
18 staff member, or instructor is \$15;

19 (10) the application fee for the authority to grant
20 degrees is \$2,000;

21 (11) the application fee for an additional degree
22 program is \$250; and

23 (12) the fee for an inspection required by commission
24 rule of classroom facilities that are separate from the main campus
25 is \$250.

26 SECTION 4. Section 132.2415(b), Education Code, is amended
27 to read as follows:

1 (b) The commission may collect annually a fee from each
2 career school or college to be deposited to the credit of the career
3 school or college tuition trust account. The total amount of the
4 fees collected in a year shall be set by the commission in the
5 amount estimated as necessary to pay the liabilities of the trust
6 account during that year, not to exceed 0.2 percent of the gross
7 amount of tuition and fees charged by career schools and colleges in
8 that year, excluding amounts refunded under Section 132.061 or
9 132.0611.

10 SECTION 5. Section 132.0611, Education Code, as added by
11 this Act, applies to a career school or college operating under a
12 certificate of approval issued under Chapter 132, Education Code,
13 beginning on the earlier of the following dates:

14 (1) November 1, 2007; or

15 (2) the earliest date on which the certificate of
16 approval is issued or renewed that occurs on or after the effective
17 date of this Act.

18 SECTION 6. This Act takes effect September 1, 2007.