

By: Zaffirini

S.B. No. 1231

Substitute the following for S.B. No. 1231:

By: Patrick

C.S.S.B. No. 1231

A BILL TO BE ENTITLED

AN ACT

1
2 relating to refunding tuition and mandatory fees at institutions of
3 higher education for dropped courses and student withdrawals.

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

5 SECTION 1. The heading to Section 54.006, Education Code,
6 is amended to read as follows:

7 Sec. 54.006. REFUND OR ADJUSTMENT OF TUITION AND MANDATORY
8 FEES FOR DROPPED COURSES AND STUDENT WITHDRAWALS.

9 SECTION 2. Section 54.006, Education Code, is amended by
10 amending Subsections (a), (b), (c), and (e), and adding Subsections
11 (a-1), (b-1), and (b-2) to read as follows:

12 (a) A general academic teaching institution or medical and
13 dental unit, as soon as practicable, shall refund the amount of
14 [~~fees and~~] tuition and mandatory fees [~~in excess of the minimum~~
15 ~~tuition~~] collected for courses from which students drop within the
16 first 12 days of a fall or spring semester or a summer term of 10
17 weeks or longer, within the first four days of a [~~summer~~] term or
18 session of more than five weeks but less than 10 weeks, or within
19 the period specified by the institution for that purpose for a term
20 or session of five weeks or less that is substantially proportional
21 to the period specified by this subsection for a longer term or
22 session. The institution or medical and dental unit may not delay a
23 refund under this subsection on the grounds that the student may
24 withdraw from the institution or unit later in the semester or term.

1 (D) seventh day of class and thereafter None; and
2 (3) if the student withdraws from a term or session of
3 five weeks or less:
4 (A) prior to the first class day 100 percent
5 (B) during the first class day 80 percent
6 (C) during the second class day 50 percent
7 (D) during the third class day
8 and thereafter None.

9 (b-1) If a student has not paid the total amount of the
10 tuition and mandatory fees charged to the student by the
11 institution or unit for the courses in which the student is enrolled
12 by the date the student withdraws from the institution or unit,
13 instead of issuing the student a refund in the amount required under
14 Subsection (b), the institution or unit may credit the amount to be
15 refunded toward the payment of the outstanding tuition and
16 mandatory fees owed by the student. The institution or unit shall
17 issue a refund to the student if any portion of the amount to be
18 refunded remains after the outstanding tuition and mandatory fees
19 have been paid.

20 (b-2) A general academic teaching institution or medical
21 and dental unit may provide to a student withdrawing from the
22 institution or unit a refund of a portion of the tuition and
23 mandatory fees charged to the student by the institution or unit for
24 the courses in which the student is enrolled on the date the student
25 withdraws in an amount greater than the amount required by
26 Subsection (b). The institution or unit may apply the portion of
27 the refund authorized by this subsection toward the payment of any

1 outstanding tuition and fees as provided by Subsection (b-1), and
2 may refund the remainder of that portion in the form of, as the
3 institution or unit considers appropriate:

4 (1) a payment made directly to the student; or

5 (2) credit toward payment of tuition and mandatory
6 fees for a subsequent semester or other academic term at the
7 institution or unit.

8 (c) Separate withdrawal refund schedules may be established
9 for optional fees [~~such as intercollegiate athletics, cultural~~
10 ~~entertainment, parking, and yearbooks~~].

11 (e) A general academic teaching institution or medical and
12 dental unit may [~~shall~~] terminate a student's student services and
13 privileges, including [~~such as~~] health services, library
14 privileges, facilities and technology usage, and athletic and
15 cultural entertainment tickets, when the [~~a~~] student withdraws from
16 the institution.

17 SECTION 3. Subsection (g), Section 54.006, Education Code,
18 is repealed.

19 SECTION 4. The change in law made by this Act applies to
20 tuition and mandatory fees charged beginning with the fall 2007
21 semester.

22 SECTION 5. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2007.