

1-1 By: Zaffirini S.B. No. 1231
1-2 (In the Senate - Filed March 6, 2007; March 14, 2007, read
1-3 first time and referred to Subcommittee on Higher Education;
1-4 April 4, 2007, reported favorably from Committee on Education by
1-5 the following vote: Yeas 8, Nays 0; April 4, 2007, sent to
1-6 printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to refunding tuition and mandatory fees at institutions of
1-10 higher education for dropped courses and student withdrawals.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. The heading to Section 54.006, Education Code,
1-13 is amended to read as follows:

1-14 Sec. 54.006. REFUND OR ADJUSTMENT OF TUITION AND MANDATORY
1-15 FEES FOR DROPPED COURSES AND STUDENT WITHDRAWALS.

1-16 SECTION 2. Section 54.006, Education Code, is amended by
1-17 amending Subsections (a), (b), (c), and (e), and adding Subsection
1-18 (a-1) to read as follows:

1-19 (a) A general academic teaching institution or medical and
1-20 dental unit, as soon as practicable, shall refund the amount of
1-21 ~~[fees and]~~ tuition and mandatory fees ~~[in excess of the minimum~~
1-22 ~~tuition]~~ collected for courses from which students drop within the
1-23 first 12 days of a fall or spring semester or a summer term of 12
1-24 weeks or longer, within the first four days of a ~~[summer]~~ term or
1-25 session of more than five weeks but less than 12 weeks, or within
1-26 the period specified by the institution for that purpose for a term
1-27 or session of five weeks or less that is substantially proportional
1-28 to the period specified by this subsection for a longer term or
1-29 session. The institution or medical and dental unit may not delay a
1-30 refund under this subsection on the grounds that the student may
1-31 withdraw from the institution or unit later in the semester or term.

1-32 (a-1) An institution may assess a nonrefundable \$15
1-33 matriculation fee if the student withdraws from the institution
1-34 before the first day of classes.

1-35 (b) A general academic teaching institution or medical and
1-36 dental unit shall refund to a student withdrawing from the
1-37 institution or unit an amount equal to the product of the amount of
1-38 tuition and mandatory fees collected for each course in which the
1-39 student is enrolled on the date the student withdraws multiplied by
1-40 the applicable percentage derived from the following tables:

1-41 (1) if the student withdraws during a fall or spring
1-42 semester or a summer term of 12 weeks or longer ~~[or comparable~~
1-43 ~~semester]~~:

1-44	(A) prior to the first class day	100 percent
1-45	(B) during the first five class days	80 percent
1-46	(C) during the second five class days	70 percent
1-47	(D) during the third five class days	50 percent
1-48	(E) during the fourth five class days	25 percent
1-49	(F) after the fourth five class days	None; and

1-50 (2) if the student withdraws during a ~~[summer]~~ term or
1-51 session of more than five weeks but less than 12 weeks:

1-52	(A) prior to the first class day	100 percent
1-53	(B) during the first, second, or third class	80 percent
1-54	day	
1-55	(C) during the fourth, fifth, or sixth class	50 percent
1-56	day	
1-57	(D) seventh day of class and thereafter	None; and

1-58 (3) if the student withdraws from a term or session of
1-59 five weeks or less:

1-60	(A) prior to the first class day	100 percent
1-61	(B) during the first class day	80 percent
1-62	(C) during the second class day	50 percent
1-63	(D) during the third class day	

1-64 and thereafter None.

2-1 (c) Separate withdrawal refund schedules may be established
2-2 for optional fees [~~such as intercollegiate athletics, cultural~~
2-3 ~~entertainment, parking, and yearbooks~~].

2-4 (e) A general academic teaching institution or medical and
2-5 dental unit shall terminate a student's student services and
2-6 privileges, including [~~such as~~] health services, library
2-7 privileges, facilities and technology usage, and athletic and
2-8 cultural entertainment tickets, when the [~~a~~] student withdraws from
2-9 the institution.

2-10 SECTION 3. Subsection (g), Section 54.006, Education Code,
2-11 is repealed.

2-12 SECTION 4. The change in law made by this Act applies to
2-13 tuition and mandatory fees charged beginning with the fall 2007
2-14 semester.

2-15 SECTION 5. This Act takes effect immediately if it receives
2-16 a vote of two-thirds of all the members elected to each house, as
2-17 provided by Section 39, Article III, Texas Constitution. If this
2-18 Act does not receive the vote necessary for immediate effect, this
2-19 Act takes effect September 1, 2007.

2-20 * * * * *