

Texas Workforce Commission

A Member of Texas Workforce Solutions

Diane D. Rath, Chair
Commissioner Representing
the Public

Ron Lehman
Commissioner Representing
Employers

Ronald G. Congleton
Commissioner Representing
Labor

Larry E. Temple
Executive Director

August 31, 2007

Dear School Director:

The purpose of this letter is to notify all career schools and colleges of Senate Bill 309, enacted by the 80th Legislature. The bill amended *Title 3, Texas Education Code, Chapter 132* by adding a new Section 132.0611 which creates a refund policy for students called to active military service. The law takes effect on September 1, 2007 and requires each institution to adopt the policy beginning on the earlier of November 1, 2007 or at the time of your renewal. So for most institutions the date will be November 1st. The text of the refund policy is enclosed for your convenience.

In addition to creating a refund policy for this circumstance, §132.0611 requires you to print the refund policy in your catalog and enrollment agreement as a condition to receiving a certificate of approval or to having your certificate renewed.

In order to comply with the requirements, you are requested to submit the following:

- a catalog or catalog addendum that includes the new refund policy;
- an enrollment agreement* that includes the new refund policy; and,
- form PS-042, Summary of Changes.

*(seminars that are three consecutive days or less in length do not require an enrollment agreement)

Sample refund policies incorporating the new requirements are available in the forms section of our web site:
<http://csc.twc.state.tx.us>.

Please feel free to call or e-mail one of the Program Staff if you have any questions or if they may be of assistance.

Virginia Bosman	(512) 936-9264	virginia.bosman@twc.state.tx.us
Frank Hammack	(512) 936-6591	frank.hammack@twc.state.tx.us
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Michael De Long	(512) 936-3104	michael.delong@twc.state.tx.us

Thank you in advance for your cooperation.

Sincerely,



Elizabeth Gregowicz, Director
Career Schools & Colleges

Enclosure

TEXAS WORKFORCE COMMISSION

Career Schools and Colleges

REFUND POLICY FOR STUDENTS CALLED TO ACTIVE MILITARY SERVICE

The following heading and policy must be printed in the catalog and on the enrollment agreement [TEC §132.0611]:

REFUND POLICY FOR STUDENTS CALLED TO ACTIVE MILITARY SERVICE.

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 program in which the student is enrolled:

- (1) if tuition and fees are collected in advance of the withdrawal, a pro rata refund of any tuition, fees, or other charges paid by the student for the program and a cancellation of any unpaid tuition, fees, or other charges owed by the student for the portion of the program the student does not complete following withdrawal;
- (2) a grade of incomplete with the designation "withdrawn-military" for the courses in the program, other than courses for which the student has previously received a grade on the student's transcript, and the right to re-enroll in the program, or a substantially equivalent program if that program is no longer available, 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 program other than any previously unpaid balance of the original tuition, fees, and charges for books for the program; or
- (3) the assignment of an appropriate final grade or credit for the courses in the program, but only if the instructor or instructors of the program determine that the student has:
 - (A) satisfactorily completed at least 90 percent of the required coursework for the program;
and
 - (B) demonstrated sufficient mastery of the program material to receive credit for completing the program.

Completed forms, inquiries, or corrections to the individual information contained in this form shall be sent to the TWC Career Schools and Colleges, 101 East 15th Street, Room 104T, Austin, Texas 78778-0001, (512) 936-3100. Individuals may receive and review information that TWC collects about the individual by emailing to open.records@twc.state.tx.us or writing to TWC Open Records, 101 E. 15th St., Rm. 266, Austin, TX 78778-0001.
