

GENERAL PROVISIONS

TEXAS ADMINISTRATIVE CODE (TAC), TITLE 19, CHAPTER 21, SUBCHAPTER A

TABLE OF CONTENTS

§21.2 Determination of Tuition Rate for Nonresident and Foreign Students	2
§21.4 Collection of Tuition	2
§21.5 Refund of Tuition and Fees at Public Community/Junior and Technical Colleges.....	3
§21.7 Tuition and Fee Definitions	4
§21.8 Definition of Student Financial Need	4

§21.2 DETERMINATION OF TUITION RATE FOR NONRESIDENT AND FOREIGN STUDENTS

(a) Prior to January 1 of each calendar year in which the academic year begins, or as soon thereafter as is practicable, the Coordinating Board shall determine the tuition rate for nonresident and foreign students enrolled in general academic teaching and health-related institutions except in programs leading to a D.D.S., M.D., D.O., D.V.M., or law degree, and report the rate to the appropriate institutions.

(b) The rate set per semester credit hour is to equal the average of the nonresident undergraduate tuition charged to a resident of this state at a public state university in each of the five most populous states other than Texas.

Source Note: The provisions of this §21.2 adopted to be effective March 8, 1989, 14 TexReg 985; amended to be effective December 26, 1995, 20 TexReg 10595.

§21.4 COLLECTION OF TUITION

(a) Unless a student's payment due date has been postponed due to pending disbursements of financial aid as described in subsection (b), of this section, the following conditions shall apply in the collection of tuition and/or tuition and fees at institutions of higher education and in the conducting of enrollment audits.

(1) On or before the dates for reporting official enrollments to the Texas Higher Education Coordinating Board each enrollment period, each community college shall collect in full from each student that is to be counted for formula funding purposes the amounts set as tuition by the respective governing boards.

(2) On or before the 20th class day for each regular semester and the 15th class day for each summer session, institutions other than community colleges shall collect from each student who is to be counted for state formula funding appropriations, the tuition and fees (mandatory and optional) established by state law or by the respective governing boards.

(3) Valid contracts with the United States government for instruction of eligible military personnel, approved financial assistance, and valid contracts with private business and public-service type organizations or institutions such as hospitals, may be considered as collected tuition and fees; the amount of collected tuition and fees may be adjusted pursuant to terms of the contract once actual collections are made.

(4) Returned checks must be covered by a transfer from a self-supporting auxiliary enterprise fund or other non-state fund source (e.g., food service, bookstore) within ten days of the date the institution receives the returned check in order for contact hours to be presented to the state for funding.

(5) Auxiliary enterprise or other non-state fund sources may not be reimbursed with state-provided funds.

(6) Institutions must retain records of individual student tuition or tuition and fee payment and returned checks for verification by the State Auditor.

(b) Payment Options for Students with Delayed Financial Aid.

(1) If an institution's financial aid office has awarded aid to a student but the institution has not received the relevant disbursements by the date that tuition and fees must be paid, the student's aid is delayed. If the student agrees to assign to the institution a portion of the awards equal to the amount of tuition and fees to be met with financial aid payments, the governing board may postpone the due date for the portion of the tuition and or tuition and fee payment that will be met through financial aid funds and the hours to be paid for with the financial aid may be counted for formula funding purposes.

(2) If, after the student's due date is postponed, the student becomes ineligible to receive one or more of the pending financial aid awards or the award amount is less than the amount of tuition and fees due, the governing board is to grant the student a repayment period for the unpaid amount that:

- (A) does not exceed 30 days,
- (B) allows for multiple payments, if necessary, and
- (C) entails a processing fee not to exceed 5 percent of the total amount to be collected.

(3) An institution may deny academic credits for hours completed in the semester or term if the student fails to pay the full tuition and fee amount by the end of the 30-day repayment period.

(c) A student paying tuition and fees by installments shall be granted the options of delayed payment outlined in subsection (b) of this section (relating to Payment Options for Students with Delayed Financial Aid) if he or she is awaiting the disbursement of financial aid.

Source Note: The provisions of this §21.4 adopted to be effective March 16, 1995, 20 TexReg 1532; amended to be effective May 23, 2002, 27 TexReg 4335; amended to be effective November 28, 2005, 30 TexReg 7853

§21.5 REFUND OF TUITION AND FEES AT PUBLIC COMMUNITY/JUNIOR AND TECHNICAL COLLEGES

(a) A community/junior or technical college, as soon as practicable, shall at a minimum refund mandatory fees and tuition in excess of the minimum tuition collected for courses from which the students drop or withdraw, according to the following schedule. For courses which meet on what the college considers a regular schedule, class days refer to the number of calendar days the institution normally meets for classes, not the days a particular course meets. For courses which meet on an unusual or irregular schedule, the college may exercise professional judgement in defining a class day. The indicated percentages are to be applied to the tuition and mandatory fees collected for each course from which the student is withdrawing. The college may not delay a refund on the grounds that the student may withdraw from the institution or unit later in the semester or term. The institution may assess a nonrefundable \$15 matriculation fee if the student withdraws from the institution before the first day of classes.

(1) Coordinating Board approved semester-length courses for which semester credit hours are awarded:

- (A) A 100% refund is to be made for courses dropped prior to the first class day.
- (B) During the fall or spring semester or comparable trimester:
 - (i) during the first 15 class days, 70%;
 - (ii) during the 16th through 20th class days, 25%;
 - (iii) after the 20th class day, none; and

(C) Six-week summer semester:

- (i) during the first five class days, 70%;
- (ii) during the sixth and seventh class days, 25%;
- (iii) after the seventh class day, none.

(2) For flex entry and non-semester-length courses with a census date other than the 12th class day (fourth class day for a six-week summer semester):

- (A) prior to the first class day, 100%;

(B) after classes begin, see table:

[Attached Graphic](#)

(b) A community/junior or technical college must follow the applicable refund policy outlined in subsection (a)(1) and (2) of this section for courses associated with any program which is approved for Title IV federal funding. The institution may determine a refund policy for any other program.

(c) Prior to the census date, community and technical colleges may allow hours to be dropped and re-added without penalty to the student if the exchange is an equal one. When the charges for dropped hours are greater than for the hours added, the refund policy outlined above is to be applied to the net charges being dropped. If the charges for hours being added exceed the charges for hours being dropped, the student must pay the net additional charges.

(d) Separate withdrawal refund schedules may be established for optional fees such as intercollegiate athletics, cultural entertainment, parking and yearbooks.

(e) A community/junior or technical college shall refund tuition and fees paid by a sponsor, donor, or scholarship to the source rather than directly to the student who has withdrawn if the funds were made available through the institution.

(f) A community/junior or technical college may terminate student services and privileges, such as health services, library privileges, facilities usage, and athletic and cultural entertainment tickets when a student withdraws from the institution.

(g) If a student withdraws because the student is called into active military service, the institution, at the student's option, shall:

(1) refund the tuition and fees paid by the student for the semester in which the student withdraws;

(2) grant a student, who is eligible under the institution's guidelines, an incomplete grade in all courses by designating "withdrawn-military" on the student's transcript; or

(3) as determined by the instructor, assign an appropriate final grade or credit to a student who has satisfactorily completed a substantial amount of course work and who has demonstrated sufficient mastery of the course material.

Source Note: The provisions of this §21.5 adopted to be effective December 26, 1995, 20 TexReg 10595; amended to be effective September 13, 1996, 21 TexReg 8504; amended to be effective November 26, 1997, 22 TexReg 11358

§21.7 TUITION AND FEE DEFINITIONS

The definitions found in Chapter 13, Subchapter H of this title (relating to Reporting of Tuition and Fees), are to be applied to all tuition and fee exemption and waiver programs provided under Texas Education Code, Chapter 54.

Source Note: The provisions of this §21.7 adopted to be effective August 15, 2006, 31 TexReg 6331

§21.8 DEFINITION OF STUDENT FINANCIAL NEED

Unless otherwise specified in statute or rule, a student's financial need is defined as the difference between the student's cost of attendance as determined by the institution and the student's expected family contribution as calculated using the United States Department of Education's federal methodology.

Source Note: The provisions of this §21.8 adopted to be effective May 24, 2009, 34 TexReg 2979