

1 ENGROSSED HOUSE
2 BILL NO. 3397

By: Cargill and Shumate of the
House

3 and

4 Coffee of the Senate
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8 An Act relating to higher education; amending 70 O.S.
9 2001, Section 3218.8, as last amended by Section 1,
10 Chapter 368, O.S.L. 2007 (70 O.S. Supp. 2007, Section
11 3218.8), which relates to higher education tuition;
12 deleting guaranteed rate from regional average
13 limitation; deleting guaranteed tuition rate for
14 students enrolled at a two-year institution;
15 clarifying types of military service; and declaring
16 an emergency.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. AMENDATORY 70 O.S. 2001, Section 3218.8, as
19 last amended by Section 1, Chapter 368, O.S.L. 2007 (70 O.S. Supp.
20 2007, Section 3218.8), is amended to read as follows:

21 Section 3218.8 A. Subject to the provisions of subsection D of
22 this section, the Oklahoma State Regents for Higher Education are
23 authorized to establish undergraduate resident tuition, nonresident
24 tuition and mandatory fees, which students shall pay as a condition
of enrollment, except as otherwise provided by law. The process for

1 establishing tuition and mandatory fees shall incorporate the
2 provisions of Section 3218.14 of this title.

3 1. At the comprehensive universities the combined average of
4 the resident tuition and mandatory fees established for any school
5 year for ~~either the guaranteed or~~ nonguaranteed rate, as determined
6 by the State Regents, shall remain less than the combined average of
7 the resident tuition and fees at the state-supported institutions of
8 higher education that are members of the Big Twelve Conference on
9 the effective date of this act. The combined average of the
10 nonresident tuition and mandatory fees, as determined by the State
11 Regents, shall remain less than one hundred five percent (105%) of
12 the combined average of the nonresident tuition and fees at the
13 state-supported institutions of higher education that are members of
14 the Big Twelve Conference on the effective date of this act.

15 2. At the regional universities and two-year colleges the
16 combined average of the resident tuition and mandatory fees
17 established for any school year for ~~either the guaranteed or~~
18 nonguaranteed rate, as determined by the State Regents, shall remain
19 less than the combined average of the resident tuition and mandatory
20 fees at like-type state-supported institutions of higher education
21 in states determined by the State Regents that include, but are not
22 limited to, those adjacent to Oklahoma. The combined average of the
23 nonresident tuition and mandatory fees, as determined by the State
24 Regents, shall remain less than one hundred five percent (105%) of

1 the combined average of the nonresident tuition and fees at like-
2 type state-supported institutions of higher education in states
3 determined by the State Regents that include, but are not limited
4 to, those adjacent to Oklahoma.

5 B. In its deliberation on the establishment of resident tuition
6 rates for undergraduate and graduate education, the Oklahoma State
7 Regents for Higher Education shall balance the affordability of
8 public higher education with the provision of available, diverse and
9 high-quality learning opportunities. In this endeavor the State
10 Regents shall give consideration to the level of state
11 appropriations, the state economy, the per capita income and cost of
12 living, the college-going and college-retention rates, and the
13 availability of financial aid in Oklahoma. For any increase in the
14 tuition rates, the State Regents shall demonstrate a reasonable
15 effort to effect a proportionate increase in the availability of
16 need-based student financial aid. Need-based financial aid shall
17 include, but shall not be limited to, awards for the Oklahoma Higher
18 Learning Access Program, Oklahoma Tuition Aid Grants, federal need-
19 based financial aid and tuition waivers, and private donations. In
20 addition, when determining the guaranteed tuition rates as provided
21 for in subsection D of this section, the Regents shall consider the
22 anticipated revenue needs during the four-year ~~or two-year~~ period of
23 the guarantee.

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1 C. Students permitted to audit courses shall pay the same
2 resident tuition and nonresident tuition as required of students who
3 enroll for course credit.

4 D. 1. Beginning with the 2008-2009 academic year, each
5 comprehensive and regional institution within The Oklahoma State
6 System of Higher Education shall offer to resident students
7 enrolling for the first time as a full-time undergraduate a tuition
8 rate that will be guaranteed for a period of not less than four (4)
9 consecutive academic years ~~at the comprehensive and regional~~
10 ~~institutions and for not less than two (2) consecutive years at the~~
11 ~~two-year institutions~~ as provided for in this subsection. Students
12 shall have the option to participate or not participate in the
13 guaranteed tuition rate program and shall indicate their election at
14 the time of enrollment. Each institution shall provide students
15 with the following information prior to enrollment:

- 16 a. the annual tuition rate charged and the percentage
17 increase for the previous four (4) academic years, and
- 18 b. the annual tuition and percentage increase that the
19 nonguaranteed tuition rate would have to increase to
20 equal or exceed the guaranteed tuition rate for the
21 succeeding four (4) academic years.

22 2. Except as otherwise provided for in this subsection, for a
23 student who elects to participate in the guaranteed tuition rate
24 program, who is a resident of the state, and who enrolls for the

1 first time as a full-time undergraduate student at an institution in
2 the state after the 2007-2008 academic year, the amount of
3 undergraduate resident tuition charged to the student for four (4)
4 consecutive academic years at a comprehensive and regional
5 institution ~~or for two (2) consecutive academic years at a two-year~~
6 ~~institution~~ shall not exceed the amount that the student was charged
7 at the time of first enrollment, nor shall it exceed one hundred
8 fifteen percent (115%) of the nonguaranteed undergraduate tuition
9 rate charged to resident students enrolling for the first time as
10 undergraduate students at the same institution for the same academic
11 year.

12 3. If the normal time of completion for an undergraduate
13 program is more than four (4) years, as determined by the
14 institution, the amount of resident tuition charged to students in
15 that program who have elected to participate in the guaranteed
16 tuition rate program shall not increase during the normal completion
17 period of the program.

18 4. If a student who has elected to participate in the
19 guaranteed tuition rate program is a member of the United States
20 Armed Forces including the Army and Air National Guard, the Army,
21 Navy, Air Force, Marine Corps, and Coast Guard Reserves, or any
22 other component of the Armed Forces, and when ordered by the proper
23 authority to active or inactive duty or service is required to
24 withdraw from an institution for military or other national defense

1 emergencies, the amount of resident tuition the student is required
2 to pay upon reentering the institution shall not exceed the amount
3 the student was charged at the time of withdrawal.

4 5. If a student who has elected to participate in the
5 guaranteed tuition rate program transfers to another institution or
6 transfers from a constituent agency of a ~~comprehensive~~ an
7 institution to another constituent agency or the ~~comprehensive~~
8 institution after initial enrollment, the student shall be charged
9 the amount of resident tuition charged to other students enrolling
10 for the first time at that institution or constituent agency.

11 6. If a student who has elected to participate in the
12 guaranteed tuition rate program changes majors or transfers to
13 another campus of the same institution after initial enrollment, the
14 tuition charged to the student shall equal the amount the student
15 would have been charged had the student been admitted to the changed
16 major or enrolled at the new campus when the student first enrolled.
17 This paragraph shall not apply if a student transfers from a
18 constituent agency of a ~~comprehensive~~ an institution to another
19 constituent agency ~~or~~ of the ~~comprehensive~~ institution.

20 7. A student who elects to participate in the guaranteed
21 tuition rate program shall maintain full-time enrollment during the
22 guaranteed four-year ~~or two-year~~ period. For purposes of this
23 subsection, full-time enrollment shall be the number of credit hours
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