

EHB 3397

THE STATE SENATE
Monday, April 7, 2008

ENGROSSED

House Bill No. 3397

As Amended

ENGROSSED HOUSE BILL NO. 3397 - By: Cargill and Shumate of the House and Coffee of the Senate.

[higher education - higher education tuition - clarifying types of military service - emergency]

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

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

Section 3218.8 A. Subject to the provisions of subsection D of this section, the Oklahoma State Regents for Higher Education are authorized to establish undergraduate resident tuition, nonresident tuition and mandatory fees, which students shall pay as a condition of enrollment, except as otherwise provided by law. The process for establishing tuition and mandatory fees shall incorporate the provisions of Section 3218.14 of this title.

1. At the comprehensive universities the combined average of the resident tuition and mandatory fees established for any school year for either the guaranteed or nonguaranteed rate, as determined by the State Regents, shall remain less than the combined average of

1 the resident tuition and fees at the state-supported institutions of
2 higher education that are members of the Big Twelve Conference on
3 the effective date of this act. The combined average of the
4 nonresident tuition and mandatory fees, as determined by the State
5 Regents, shall remain less than one hundred five percent (105%) of
6 the combined average of the nonresident tuition and fees at the
7 state-supported institutions of higher education that are members of
8 the Big Twelve Conference on the effective date of this act.

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

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

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

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

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

19 2. Except as otherwise provided for in this subsection, for a
20 student who elects to participate in the guaranteed tuition rate
21 program, who is a resident of the state, and who enrolls for the
22 first time as a full-time undergraduate student at an institution in
23 the state after the 2007-2008 academic year, the amount of

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

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

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

1 to pay upon reentering the institution shall not exceed the amount
2 the student was charged at the time of withdrawal.

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

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

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

1 as determined by the State Regents for Higher Education to be full-
2 time enrollment for each institution.

3 SECTION 2. It being immediately necessary for the preservation
4 of the public peace, health and safety, an emergency is hereby
5 declared to exist, by reason whereof this act shall take effect and
6 be in full force from and after its passage and approval.

7 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-2-08 - DO
8 PASS, As Amended.