

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 SENATE BILL 173

By: Reynolds

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5
6 AS INTRODUCED

7 An Act relating to tuition and mandatory fees in
8 higher education; amending 70 O.S. 2001, Section
9 3218.8, as last amended by Section 1, Chapter 53,
10 O.S.L. 2008 (70 O.S. Supp. 2010, Section 3218.8),
11 which relates to the tuition and mandatory fees that
12 may be charged at state institutions of higher
13 education; prohibiting students from being charged
14 tuition or fees for remedial courses; requiring
15 institutions of higher education to charge school
16 districts for the cost or remedial courses taken by
17 students who graduated high school from those
18 districts; providing an effective date; and declaring
19 an emergency.

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

21 SECTION 1. AMENDATORY 70 O.S. 2001, Section 3218.8, as
22 last amended by Section 1, Chapter 53, O.S.L. 2008 (70 O.S. Supp.
23 2010, Section 3218.8), is amended to read as follows:

24 Section 3218.8 A. Subject to the provisions of subsection D
and E 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

1 by law. The process for establishing tuition and mandatory fees
2 shall incorporate the 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 the nonguaranteed rate, as determined by the State Regents,
6 shall remain less than the combined average of the resident tuition
7 and fees at the state-supported institutions of higher education
8 that are members of the Big Twelve Conference on the effective date
9 of this act. The combined average of the nonresident tuition and
10 mandatory fees, as determined by the State Regents, shall remain
11 less than one hundred five percent (105%) of the combined average of
12 the nonresident tuition and fees at the state-supported institutions
13 of higher education that are members of the Big Twelve Conference on
14 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 the nonguaranteed rate, as
18 determined by the State Regents, shall remain less than the combined
19 average of the resident tuition and mandatory fees at like-type
20 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. 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 period of the
23 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 as provided for in this subsection.

10 Students shall have the option to participate or not participate in
11 the guaranteed tuition rate program and shall indicate their
12 election at the time of enrollment. Each institution shall provide
13 students with the following information prior to enrollment:

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

20 2. Except as otherwise provided for in this subsection, for a
21 student who elects to participate in the guaranteed tuition rate
22 program, who is a resident of the state, and who enrolls for the
23 first time as a full-time undergraduate student at an institution in
24 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 shall not exceed the amount that the student was charged
4 at the time of first enrollment, nor shall it exceed one hundred
5 fifteen percent (115%) of the nonguaranteed undergraduate tuition
6 rate charged to resident students enrolling for the first time as
7 undergraduate students at the same institution for the same academic
8 year.

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

15 4. If a student who has elected to participate in the
16 guaranteed tuition rate program is a member of the United States
17 Armed Forces including the Army and Air National Guard, the Army,
18 Navy, Air Force, Marine Corps, and Coast Guard Reserves, or any
19 other component of the Armed Forces, and when ordered by the proper
20 authority to active or inactive duty or service is required to
21 withdraw from an institution for military or other national defense
22 emergencies, the amount of resident tuition the student is required
23 to pay upon reentering the institution shall not exceed the amount
24 the student was charged at the time of withdrawal.

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

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

17 7. A student who elects to participate in the guaranteed
18 tuition rate program shall maintain full-time enrollment during the
19 guaranteed four-year period. For purposes of this subsection, full-
20 time enrollment shall be the number of credit hours as determined by
21 the State Regents for Higher Education to be full-time enrollment
22 for each institution.

23 E. A student who graduated from a high school within this
24 state, who enrolls in a state institution of higher education within

1 three (3) years of graduating high school, and who is required to
2 take remedial courses as determined by the Oklahoma State Regents of
3 Higher Education policy, shall not be required to pay any tuition or
4 fees associated with the remedial course(s). The institution of
5 higher education providing the remedial course to the student shall
6 charge the school district from which the student graduated high
7 school with the cost of providing the remedial education.

8 SECTION 2. This act shall become effective July 1, 2011.

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

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