

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 HOUSE BILL 2133

By: Hickman

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5  
6 AS INTRODUCED

7 An Act relating to higher education; amending 70 O.S.  
8 2011, Section 3218.8, which relates to establishment  
9 of tuition and mandatory fees; specifying certain  
10 limitation on resident tuition and mandatory fees;  
11 providing an effective date; and declaring an  
12 emergency.

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

14 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3218.8, is  
15 amended to read as follows:

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

23 1. At the comprehensive universities the combined average of  
24 the resident tuition and mandatory fees established for any school  
year for the nonguaranteed rate, as determined by the State Regents,

1 shall remain less than the combined average of the resident tuition  
2 and fees at the state-supported institutions of higher education  
3 that are members of the Big Twelve Conference on ~~the effective date~~  
4 ~~of this act~~ March 28, 2003. The combined average of the nonresident  
5 tuition and mandatory fees, as determined by the State Regents,  
6 shall remain less than one hundred five percent (105%) of the  
7 combined average of the nonresident tuition and fees at the state-  
8 supported institutions of higher education that are members of the  
9 Big Twelve Conference on ~~the effective date of this act~~ March 28,  
10 2003.

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

1       3. In addition to the limitations provided in this subsection,  
2 any annual increase to resident tuition and mandatory fees  
3 established pursuant to this subsection shall be limited to the  
4 lesser of three percent (3%) or the rate of inflation, as measured  
5 by the Consumer Price Index for All Urban Consumers for the most  
6 recent complete year, as determined by the United States Bureau of  
7 Labor Statistics.

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

1 anticipated revenue needs during the four-year period of the  
2 guarantee.

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

6 D. 1. Beginning with the 2008-2009 academic year, each  
7 comprehensive and regional institution within The Oklahoma State  
8 System of Higher Education shall offer to resident students  
9 enrolling for the first time as a full-time undergraduate a tuition  
10 rate that will be guaranteed for a period of not less than four (4)  
11 consecutive academic years as provided for in this subsection.  
12 Students shall have the option to participate or not participate in  
13 the guaranteed tuition rate program and shall indicate their  
14 election at the time of enrollment. Each institution shall provide  
15 students 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 shall not exceed the amount that the student was charged  
6 at the time of first enrollment, nor shall it exceed one hundred  
7 fifteen percent (115%) of the nonguaranteed undergraduate tuition  
8 rate charged to resident students enrolling for the first time as  
9 undergraduate students at the same institution for the same academic  
10 year.

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

17 4. If a student who has elected to participate in the  
18 guaranteed tuition rate program is a member of the United States  
19 Armed Forces including the Army and Air National Guard, the Army,  
20 Navy, Air Force, Marine Corps, and Coast Guard Reserves, or any  
21 other component of the Armed Forces, and when ordered by the proper  
22 authority to active or inactive duty or service is required to  
23 withdraw from an institution for military or other national defense  
24 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 an institution to another  
6 constituent agency or the institution after initial enrollment, the  
7 student shall be charged the amount of resident tuition charged to  
8 other students enrolling for the first time at that institution or  
9 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 an institution to another constituent agency  
18 of the 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 period. For purposes of this subsection, full-  
22 time enrollment shall be the number of credit hours as determined by  
23 the State Regents for Higher Education to be full-time enrollment  
24 for each institution.

1 SECTION 2. This act shall become effective July 1, 2013.

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

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