

HOUSE No. 1074

The Commonwealth of Massachusetts

PRESENTED BY:

John W. Scibak

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act providing tuition retention at the University of Massachusetts.

PETITION OF:

NAME:

John W. Scibak

Ellen Story

DISTRICT/ADDRESS:

2nd Hampshire

3rd Hampshire

HOUSE No. 1074

By Mr. Scibak of South Hadley, a petition (accompanied by bill, House, No. 1074) of John W. Scibak and Ellen Story relative to tuition and charges at the University of Massachusetts. Higher Education.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act providing tuition retention at the University of Massachusetts.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 75 of the General Laws is hereby amended by inserting after
2 section 1A the following section:-

3 Section IB. (a) For the purposes of this section, the following words shall have the
4 following meanings:- “student charges” in-state and out-of-state tuition and fees that are charged
5 to students for general attendance at the university, but shall not include any fee or other charge
6 established by the university that is specific to a particular course, program or activity, and shall
7 not include any charges for room, board or student health insurance;

8 “student tuition credit” a reduction in student charges for an eligible student.

9 (b) The University of Massachusetts shall retain all student charges and shall fix and
10 establish student charges for the university. In-state tuition and mandatory student charges shall
11 preserve affordability for residents of the commonwealth. Out-of-state student charges shall
12 appropriately balance the financial needs of the university with the need to be competitive with

13 peer institutions and, to the extent possible, cover, at minimum, the actual cost of the student's
14 education. Tuition shall comprise the majority portion of student charges. In establishing
15 student charges the board of trustees shall consider factors including, but not limited to, the
16 Consumer Price Index, the Higher Education Price Index, tuition and fee rates at peer
17 institutions, collective bargaining costs and total support from the commonwealth including
18 direct appropriations along with other relevant data and measures.

19 (c) All student charges received by the university under this section shall be retained by
20 the university in a revolving trust fund and shall be expended as the board of trustees may direct
21 for the operation and support of the institution. Any balance in a trust fund at the end of a fiscal
22 year shall continue to be held in the trust fund, shall remain available for expenditure in
23 subsequent fiscal years and shall not revert to the General Fund. All such trust funds shall be
24 subject to audit by the state auditor. The university shall provide a statement of charges to
25 students that include all student charges. The statement of charges, in a form approved by the
26 board of trustees, shall specifically break down the student charges and factor a discount rate for
27 in-state students and a discount for any student tuition credit for which a student is eligible.

28 (d) For employees of the University who are paid from tuition retained under subsection
29 (b) and (c), fringe benefits and collective bargaining shall be funded as if those employees'
30 salaries were supported by state appropriations and such funds shall not be assessed fringe. This
31 section shall apply only to fringe benefits and collective bargaining costs associated with salaries
32 paid from retained tuition.

33 (e) All tuition waivers, grants and scholarships identified in chapter 15A, other statutes
34 and reductions collectively bargained that are in the form of a tuition or fee waiver shall be

35 student tuition credits. Student charges shall be reduced by any student tuition credits for which
36 a student is eligible.

37 (f) The board of trustees shall not recognize any future tuition waivers, grants or
38 scholarships identified in chapter 15A, other statutes or reductions collectively bargained that
39 are in the form of a tuition or fee waiver unless the reduction is accompanied with an
40 appropriation that fully supports them or the reduction is approved by the board of trustees.

41 SECTION 2. Subsection (i) of section 9 of chapter 15A of the General Laws is hereby
42 amended by striking out the words “In the case of the University, the council shall review the
43 recommendations of the board of trustees relative to tuition rates at said university and its
44 campuses. Said tuition rates shall be subject to the approval of the council” and inserting in
45 place thereof the following words:- Tuition rates shall be subject to the approval of the council;
46 provided, however, that tuition rates at the University of Massachusetts shall be set subject to
47 sections 1A and 1B of chapter 75 and shall not require the approval of the council.

48 SECTION 3. Section 1A of chapter 75 of the General Laws is hereby amended in the
49 fifth paragraph by striking out subparagraph (p).

50 SECTION 4. (a) Notwithstanding any general or special law to the contrary, the
51 University of Massachusetts shall consider all tuition waivers, grants and scholarships identified
52 in chapter 15A of the General Laws, other statutes and reductions collectively bargained that are
53 in the form of a tuition or fee waiver available to students as student tuition credits as defined in
54 section 1B of chapter 75 of the General Laws.

55 (b) On July 1, 2015 the University of Massachusetts shall calculate the value of all
56 existing tuition waivers in said section 19 of said chapter 15A or reductions collectively
57 bargained.

58 (c) The calculated value of the tuition waivers, grants and scholarships identified in
59 chapter 15A of the General Laws, other statutes and reductions collectively bargained that are in
60 the form of a tuition or fee waiver calculated in subsection (b) shall be credited to the eligible
61 student as a student tuition credit on their statement of charges of student charges as defined by
62 said section 1B of said chapter 75.

63 (d) The University of Massachusetts shall report to the senate and house committee on
64 ways and means, the joint committee on higher education and the board of higher education the
65 existence and the calculated value of all tuition waivers, grants and scholarships
66 identified in chapter 15A of the General Laws, other statutes and reductions collectively
67 bargained that are in the form of a tuition or fee waiver at the University of Massachusetts.

68 SECTION 5. Notwithstanding and general or special law to the contrary the University of
69 Massachusetts shall annually report to the senate and house committee on ways and means, the
70 joint committee on higher education, the secretary of administration and finance and the
71 secretary of education: (1) the status of the percentage of student education costs placed upon the
72 student and subsidized by the commonwealth with the goal of providing education costs to
73 students at an equal 50/50 share between the commonwealth and the students; (2) a
74 comprehensive document articulating the efficiencies and effectiveness of initiatives and
75 programs at the University that save the commonwealth and students money and make the 5
76 campus system more efficient.

77 SECTION 6. Notwithstanding any general or special law to the contrary all tuition and
78 fee waivers that are exclusive to the University of Massachusetts shall only require the approval
79 by the board of trustees of the University of Massachusetts.

80 SECTION 7. Sections 1 to 6, inclusive, shall take effect on July 1, 2015.