

Regular Session, 2013

HOUSE BILL NO. 401

BY REPRESENTATIVE CARTER

STUDENT/TUITION: Authorizes the public postsecondary education management boards to increase tuition and fee amounts under certain circumstances

1 AN ACT

2 To enact R.S. 17:3351.17, relative to tuition and mandatory fee amounts for public
3 postsecondary education institutions; to authorize each public postsecondary
4 education management board to increase tuition and mandatory fee amounts if an
5 institution meets certain criteria; to provide for limitations, waivers, and
6 effectiveness; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17: 3351.17 is hereby enacted to read as follows:

9 §3351.17. Public postsecondary education management boards; tuition and
10 attendance fee increases; conditions; waivers

11 A. In addition to the authority granted by any other provision of law,
12 including but not limited to R.S. 17:3139.5, and in accordance with Article VII,
13 Section 2.1(A) of the Constitution of Louisiana, the Board of Supervisors of
14 Louisiana State University and Agricultural and Mechanical College, the Board of
15 Supervisors of Southern University and Agricultural and Mechanical College, the
16 Board of Supervisors for the University of Louisiana System, and the Board of
17 Supervisors of Community and Technical Colleges may impose at an institution
18 under its respective management and supervision a one-time increase in tuition and
19 mandatory attendance fees if the institution meets both of the following criteria:

20 (1) Its approved annual tuition and mandatory fee amount is less than the
21 average amount of annual tuition and mandatory fees for Southern Regional

1 Education Board peer institutions. The average amount shall be based on the most
2 recent Southern Regional Education Board publication of tuition and mandatory fees
3 for all institutions in the institution's Southern Regional Education Board
4 institutional category.

5 (2) Its graduation and freshman retention rates are at least equal to the
6 average graduation and freshman retention rates for the same peer institutions.

7 B. The increase in tuition and mandatory fees authorized by this Section:

8 (1) Shall not be imposed prior to the Fall 2016 semester.

9 (2) Shall be limited to an amount that raises the institution's tuition and
10 mandatory fees to, but does not exceed, the average amount of annual tuition and
11 mandatory fees for Southern Regional Education Board peer institutions.

12 (3) May remain in effect after it is imposed but shall not thereafter be
13 increased.

14 C. Prior to imposing the increase in tuition and fee amounts authorized by
15 this Section, each public postsecondary education management board shall establish
16 criteria for waiving the amounts in cases of financial hardship as determined by the
17 board. Information relative to such waivers and the criteria and procedures for
18 obtaining a waiver shall be reported to the Board of Regents and shall be made
19 available to all prospective students in a timely manner such that each student is
20 informed of the availability of a waiver prior to the student making a final decision
21 concerning attendance.

22 C. The authority to impose the tuition and mandatory fee increase provided
23 in this Section shall include the authority to impose proportional amounts for
24 part-time students, for intersessions, and for summer sessions.

25 D. For purposes of this Section, "Southern Regional Education Board peer
26 institutions" shall mean those institutions as provided by the Southern Regional
27 Education Board for each institution's institutional category.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Carter

HB No. 401

Abstract: Authorizes the public postsecondary education management boards to impose in 2016 or thereafter a one-time tuition and fee increase if an institution meets graduation and freshman retention rate criteria.

Proposed law authorizes each public postsecondary education management board to impose at an institution under its respective management and supervision a one-time increase in tuition and mandatory attendance fees if an institution meets both of the following criteria:

- (1) Its approved annual tuition and mandatory fee amount is less than the average amount of annual tuition and mandatory fees for Southern Regional Education Board (SREB) peer institutions; provides that the average amount shall be based on the most recent SREB publication of tuition and mandatory fees for all institutions in the institution's institutional category.
- (2) Its graduation and freshman retention rates are at least equal to the average graduation and freshman retention rates for the same peer institutions.

Proposed law:

- (1) Prohibits imposition prior to Fall 2016.
- (2) Limits the increase to an amount which raises the institution's tuition and mandatory fees to, but does not exceed, the average amount of annual tuition and mandatory fees for SREB peer institutions.
- (3) Authorizes the increase to remain in effect but prohibits subsequent increases.
- (4) Provides that the authority to impose the increase is in addition to GRAD Act authority and any other authority to impose tuition or fees.
- (5) Authorizes boards to impose proportional amounts for part-time students, intersessions, and summer sessions and requires boards to establish criteria for hardship waivers and to report information relative to such waivers to the Board of Regents and make it available to prospective students.
- (6) Defines "SREB peer institutions" as those institutions as provided by the SREB for each institution's institutional category.
- (7) Provides that it is in accordance with present constitution, which provides that any new fee imposed or assessed by a state board or agency must be enacted by law by a 2/3 vote of the elected members of each house of the legislature.

(Adds R.S. 17:3351.17)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Education to the original bill.

1. Specifies that it is an institution's freshman retention rates that determine the institution's authority to impose a tuition and fee increase.