

Regular Session, 2012

HOUSE BILL NO. 275

BY REPRESENTATIVE SCHRODER

STUDENT/TUITION: Provides relative to the authority of public postsecondary education management boards to increase tuition and mandatory fee amounts

1 AN ACT

2 To enact R.S. 17:3351(A)(5)(f), relative to tuition and mandatory fee amounts for public
3 postsecondary education institutions; to authorize the public postsecondary education
4 management boards to increase tuition and mandatory fee amounts at those
5 institutions under their respective supervision and management in accordance with
6 the Board of Regents Tuition and Financial Aid Policy, which is subject to legislative
7 approval; to authorize uniform imposition of tuition and mandatory fee amounts on
8 a per-credit-hour basis; to provide for applicability, limitations, and exceptions; to
9 provide for implementation; to provide an effective date; and to provide for related
10 matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 17:3351(A)(5)(f) is hereby enacted to read as follows:

13 §3351. General powers, duties, and functions of college and university boards

14 A. Subject only to the powers of the Board of Regents specifically
15 enumerated in Article VIII, Section 5 of the Constitution of Louisiana, and as
16 otherwise provided by law, each postsecondary system management board as a body
17 corporate shall have authority to exercise power necessary to supervise and manage
18 the day-to-day operations of institutions of postsecondary education under its
19 control, including but not limited to the following:

20 * * *

1 (5)

2 * * *

3 (f)(i) Notwithstanding any limitation on or any authority provided to the
4 boards by this Paragraph or any other provision of law, and in accordance with
5 Article VII, Section 2.1 of the Constitution of Louisiana, the Board of Supervisors
6 of Louisiana State University and Agricultural and Mechanical College, the Board
7 of Supervisors of Southern University and Agricultural and Mechanical College, the
8 Board of Supervisors for the University of Louisiana System, and the Board of
9 Supervisors of Community and Technical Colleges, respectively, shall have the
10 authority to increase the tuition amount and mandatory fee amounts applicable to
11 resident students at institutions under their respective supervision and management
12 as prescribed by the Tuition and Financial Aid Policy established and implemented
13 by the Board of Regents and approved by the legislature. Such tuition and
14 mandatory fees shall not exceed the average amount of annual tuition and mandatory
15 fees applicable to resident students at institutions in states comprising the Southern
16 Regional Education Board, excluding Louisiana, which are in the same category as
17 established by the Southern Regional Education Board. Such amounts shall be based
18 on the latest available information that is obtainable by the Board of Regents from
19 the Southern Regional Education Board. Increases in tuition and mandatory fee
20 amounts pursuant to this Subparagraph shall be effective at such institutions as may
21 be provided by the Tuition and Financial Aid Policy established and implemented
22 by the Board of Regents and approved by the legislature. Additionally, the Board
23 of Supervisors of Louisiana State University and Agricultural and Mechanical
24 College, the Board of Supervisors of Southern University and Agricultural and
25 Mechanical College, the Board of Supervisors for the University of Louisiana
26 System, and the Board of Supervisors of Community and Technical Colleges,
27 respectively, may provide for the uniform imposition of tuition and mandatory fee
28 amounts for students attending such institutions under their respective supervision
29 and management on a per-credit-hour basis.

students at institutions in states comprising the Southern Regional Education Board (SREB), excluding La., which are in the same category as established by the SREB, based upon the latest available information that is obtainable by the Board of Regents from the SREB. Provides that tuition and fee increases pursuant to proposed law shall be effective at such institutions as may be provided by the Board of Regents Tuition and Financial Aid Policy approved by the legislature. Additionally authorizes the management boards to provide for the uniform imposition of tuition and mandatory fee amounts on a per-credit-hour basis.

Proposed law provides that the authority for such increases includes the authority to establish proportional amounts applicable to part-time students and to students enrolled for summer and intersession terms. Further requires that, prior to imposing any such increase(s) in tuition or fee amounts, the management board establish criteria for waivers of such increase(s) in cases of financial hardship and make information about such waivers and the criteria and procedures for obtaining a waiver available to all prospective students affected by the increase(s) in a timely manner such that the prospective student can be aware of the increase(s) and the availability of waivers prior to making any final decision concerning attendance.

Present law (R.S. 17:3139 et seq.-GRAD Act) in part authorizes public postsecondary education institutions who enter into performance agreements and meet certain goals in such agreements to increase tuition and fee amounts incrementally, without legislative approval, until the institution reaches the average tuition and fee amounts of its peer institutions, such amounts to be weighted such that the median household income in SREB states in which respective peer institutions are located is compared with the median household income in La., and any differences between the average of the states is factored into the allowable tuition and fee amount increase. Authorizes increases as necessary to maintain tuition and fee amounts as close to that average as practical. Includes provisions for waivers based upon financial hardship of students.

Proposed law is in addition to GRAD Act authority and any other authority of any of the boards to impose tuition or fees.

Proposed law provides that it is in accordance with provisions of Const. Art. VII, §2.1(A) 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.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 17:3351(A)(5)(f))