

HOUSE No. 4835

The Commonwealth of Massachusetts

In the Year Two Thousand Ten

An Act directing the University of Massachusetts and Commonwealth community colleges to establish a tuition retention program and ensure adequate access for qualified Massachusetts students..

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

1 (a) Notwithstanding any general or special law to the contrary, the University of
2 Massachusetts system and the president of the university shall retain all tuition for out-of-state
3 students in the University of Massachusetts system and the board of trustees for the University of
4 Massachusetts shall promulgate regulations to allow the administration of each campus to retain
5 all tuition paid by students who are not residents of the commonwealth. The regulations shall
6 ensure that no resident of the commonwealth is denied admission to any campus as a result of the
7 tuition retention program.

8 (b) All out-of-state tuition and fees received by the board of trustees at Bridgewater State
9 College shall be retained by the board of trustees of the institution in a revolving trust fund and
10 shall be expended as the board may direct. The board shall ensure that no resident of the
11 commonwealth is denied admission to the college as a result of the tuition retention program.
12 The board of higher education shall promulgate regulations to ensure the campus maintains
13 adequate access for qualified residents of the commonwealth, as measured by the ratio of out-of-

14 state students to in-state students. Any balance in the trust fund at the close of a fiscal year shall
15 be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.

16 (c) All out-of-state tuition and fees received by the board of trustees at Fitchburg State
17 College shall be retained by the board of trustees of the institution in a revolving trust fund and
18 shall be expended as the board may direct. The board shall ensure that no resident of the
19 commonwealth is denied admission to the college as a result of the tuition retention program.
20 The board of higher education shall promulgate regulations to ensure the campus maintains
21 adequate access for qualified residents of the commonwealth, as measured by the ratio of out-of-
22 state students to in-state students. Any balance in the trust fund at the close of a fiscal year shall
23 be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.

24 (d) All out-of-state tuition and fees received by the board of trustees at Framingham
25 State College shall be retained by the board of trustees of the institution in a revolving trust fund
26 and shall be expended as the board may direct. The board shall ensure that no resident of the
27 commonwealth is denied admission to the college as a result of the tuition retention program.
28 The board of higher education shall promulgate regulations to ensure the campus maintains
29 adequate access for qualified residents of the commonwealth, as measured by the ratio of out-of-
30 state students to in-state students. Any balance in the trust fund at the close of a fiscal year shall
31 be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.

32 (e) All out-of-state tuition and fees received by the board of trustees at Salem State
33 College shall be retained by the board of trustees of the institution in a revolving trust fund and
34 shall be expended as the board may direct. The board shall ensure that no resident of the
35 commonwealth is denied admission to the college as a result of the tuition retention program.

36 The board of higher education shall promulgate regulations to ensure the campus maintains
37 adequate access for qualified residents of the commonwealth, as measured by the ratio of out-of-
38 state students to in-state students. Any balance in the trust fund at the close of a fiscal year shall
39 be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.

40 (f) All out-of-state tuition and fees received by the board of trustees at Westfield State
41 College shall be retained by the board of trustees of the institution in a revolving trust fund and
42 shall be expended as the board may direct. The board shall ensure that no resident of the
43 commonwealth is denied admission to the college as a result of the tuition retention program.
44 The board of higher education shall promulgate regulations to ensure the campus maintains
45 adequate access for qualified residents of the commonwealth, as measured by the ratio of out-of-
46 state students to in-state students. Any balance in the trust fund at the close of a fiscal year shall
47 be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.

48 (g) All out-of-state tuition and fees received by the board of trustees at Worcester State
49 College shall be retained by the board of trustees of the institution in a revolving trust fund and
50 shall be expended as the board may direct. The board shall ensure that no resident of the
51 commonwealth is denied admission to the college as a result of the tuition retention program.
52 The board of higher education shall promulgate regulations to ensure the campus maintains
53 adequate access for qualified residents of the commonwealth, as measured by the ratio of out-of-
54 state students to in-state students. Any balance in the trust fund at the close of a fiscal year shall
55 be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.

56 (h) All out-of-state tuition and fees received by the board of trustees at Berkshire
57 Community College shall be retained by the board of trustees of the institution in a revolving

58 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
59 of the commonwealth is denied admission to the college as a result of the tuition retention
60 program. The board of higher education shall promulgate regulations to ensure the campus
61 maintains adequate access for qualified residents the commonwealth, as measured by the ratio of
62 out-of-state students to in-state students. Any balance in the trust fund at the close of a fiscal year
63 shall be available for expenditure in subsequent fiscal years and shall not revert to the General
64 Fund.

65 (i) All out-of-state tuition and fees received by the board of trustees at Bristol
66 Community College shall be retained by the board of trustees of the institution in a revolving
67 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
68 of the commonwealth is denied admission to the college as a result of the tuition retention
69 program. The board of higher education shall promulgate regulations to ensure the campus
70 maintains adequate access for qualified residents of the commonwealth, as measured by the ratio
71 of out-of-state students to in-state students. Any balance in the trust fund at the close of a fiscal
72 year shall be available for expenditure in subsequent fiscal years and shall not revert to the
73 General Fund.

74 (j) All out-of-state tuition and fees received by the board of trustees at Bunker Hill
75 Community College shall be retained by the board of trustees of the institution in a revolving
76 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
77 of the commonwealth is denied admission to the college as a result of the tuition retention
78 program. The board of higher education shall promulgate regulations to ensure the campus
79 maintains adequate access for qualified residents of the commonwealth, as measured by the ratio
80 of out-of-state students to in-state students. Any balance in the trust fund at the close of a fiscal

81 year shall be available for expenditure in subsequent fiscal years and shall not revert to the
82 General Fund.

83 (k) All out-of-state tuition and fees received by the board of trustees at Cape Cod
84 Community College shall be retained by the board of trustees of the institution in a revolving
85 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
86 of the commonwealth is denied admission to the college as a result of the tuition retention
87 program. The board of higher education shall promulgate regulations to ensure the campus
88 maintains adequate access for qualified residents of the commonwealth, as measured by the ratio
89 of out-of-state students to in-state students. Any balance in the trust fund at the close of a fiscal
90 year shall be available for expenditure in subsequent fiscal years and shall not revert to the
91 General Fund.

92 (l) All out-of-state tuition and fees received by the board of trustees at Greenfield
93 Community College shall be retained by the board of trustees of the institution in a revolving
94 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
95 of the commonwealth is denied admission to the college as a result of the tuition retention
96 program. The board of higher education shall promulgate regulations to ensure the campus
97 maintains adequate access for qualified residents of the commonwealth, as measured by the ratio
98 of out-of-state students to in-state students. Any balance in the trust fund at the close of a fiscal
99 year shall be available for expenditure in subsequent fiscal years and shall not revert to the
100 General Fund.

101 (m) All out-of-state tuition and fees received by the board of trustees at Holyoke
102 Community College shall be retained by the board of trustees of the institution in a revolving

103 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
104 of the commonwealth is denied admission to the college as a result of the tuition retention
105 program. The board of higher education shall promulgate regulations to ensure the campus
106 maintains adequate access for qualified residents of the commonwealth, as measured by the ratio
107 of out-of-state students to in-state students. Any balance in the trust fund at the close of a fiscal
108 year shall be available for expenditure in subsequent fiscal years and shall not revert to the
109 General Fund.

110 (n) All out-of-state tuition and fees received by the board of trustees at Massachusetts
111 Bay Community College shall be retained by the board of trustees of the institution in a
112 revolving trust fund and shall be expended as the board may direct. The board shall ensure that
113 no resident of the commonwealth is denied admission to the college as a result of the tuition
114 retention program. The board of higher education shall promulgate regulations to ensure the
115 campus maintains adequate access for qualified residents of the commonwealth, as measured by
116 the ratio of out-of-state students to in-state students. Any balance in the trust fund at the close of
117 a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to
118 the General Fund.

119 (o) All out-of-state tuition and fees received by the board of trustees at Massasoit
120 Community College shall be retained by the board of trustees of the institution in a revolving
121 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
122 of the commonwealth is denied admission to the college as a result of the tuition retention
123 program. The board of higher education shall promulgate regulations to ensure the campus
124 maintains adequate access for qualified residents of the commonwealth, as measured by the ratio
125 of out-of-state students to in-state students. Any balance in the trust fund at the close of a fiscal

126 year shall be available for expenditure in subsequent fiscal years and shall not revert to the
127 General Fund.

128 (p) All out-of-state tuition and fees received by the board of trustees at Middlesex
129 Community College shall be retained by the board of trustees of the institution in a revolving
130 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
131 of the commonwealth is denied admission to the college as a result of the tuition retention
132 program. The board of higher education shall promulgate regulations to ensure the campus
133 maintains adequate access for qualified residents of the commonwealth, as measured by the ratio
134 of out-of-state students to in-state students. Any balance in the trust fund at the close of a fiscal
135 year shall be available for expenditure in subsequent fiscal years and shall not revert to the
136 General Fund.

137 (q) All out-of-state tuition and fees received by the board of trustees at Mount Wachusett
138 Community College shall be retained by the board of trustees of the institution in a revolving
139 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
140 of the commonwealth is denied admission to the college as a result of the tuition retention
141 program. The board of higher education shall promulgate regulations to ensure the campus
142 maintains adequate access for qualified residents of the commonwealth, as measured by the ratio
143 of out-of-state students to in-state students. Any balance in the trust fund at the close of a fiscal
144 year shall be available for expenditure in subsequent fiscal years and shall not revert to the
145 General Fund.

146 (r) All out-of-state tuition and fees received by the board of trustees at North Shore
147 Community College shall be retained by the board of trustees of the institution in a revolving

148 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
149 of the commonwealth is denied admission to the college as a result of the tuition retention
150 program. The board of higher education shall promulgate regulations to ensure the campus
151 maintains adequate access for qualified residents the commonwealth, as measured by the ratio of
152 out-of-state students to in-state students. Any balance in the trust fund at the close of a fiscal year
153 shall be available for expenditure in subsequent fiscal years and shall not revert to the General
154 Fund.

155 (s) All out-of-state tuition and fees received by the board of trustees at Northern Essex
156 Community College shall be retained by the board of trustees of the institution in a revolving
157 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
158 of the commonwealth is denied admission to the college as a result of the tuition retention
159 program. The board of higher education shall promulgate regulations to ensure the campus
160 maintains adequate access for qualified residents of the commonwealth, as measured by the ratio
161 of out-of-state students to in-state students. Any balance in the trust fund at the close of a fiscal
162 year shall be available for expenditure in subsequent fiscal years and shall not revert to the
163 General Fund.

164 (t) All out-of-state tuition and fees received by the board of trustees at Quinsigamond
165 Community College shall be retained by the board of trustees of the institution in a revolving
166 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
167 of the commonwealth is denied admission to the college as a result of the tuition retention
168 program. The board of higher education shall promulgate regulations to ensure the campus
169 maintains adequate access for qualified residents of the commonwealth, as measured by the ratio
170 of out-of-state students to in-state students. Any balance in the trust fund at the close of a fiscal

171 year shall be available for expenditure in subsequent fiscal years and shall not revert to the
172 General Fund.

173 (u) All out-of-state tuition and fees received by the board of trustees at Roxbury
174 Community College shall be retained by the board of trustees of the institution in a revolving
175 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
176 of the commonwealth is denied admission to the college as a result of the tuition retention
177 program. The board of higher education shall promulgate regulations to ensure the campus
178 maintains adequate access for qualified residents of the commonwealth, as measured by the ratio
179 of out-of-state students to in-state students. Any balance in the trust fund at the close of a fiscal
180 year shall be available for expenditure in subsequent fiscal years and shall not revert to the
181 General Fund.

182 (v) All out-of-state tuition and fees received by the board of trustees at Springfield
183 Technical Community College shall be retained by the board of trustees of the institution in a
184 revolving trust fund and shall be expended as the board may direct. The board shall ensure that
185 no resident of the commonwealth is denied admission to the college as a result of the tuition
186 retention program. The board of higher education shall promulgate regulations to ensure the
187 campus maintains adequate access for qualified residents of the commonwealth, as measured by
188 the ratio of out-of-state students to in-state students. Any balance in the trust fund at the close of
189 a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to
190 the General Fund.

191 (w) Notwithstanding any general or special law to the contrary, for employees of public
192 higher education institutions who are paid from tuition retained pursuant to this section, fringe

193 benefits shall be funded as if those employees' salaries were supported by state appropriations.
194 This section shall apply only to fringe benefits associated with salaries paid from tuition retained
195 by the respective boards of trustees for the University of Massachusetts system, Bridgewater
196 State College, Fitchburg State College, Framingham State College, Salem State College,
197 Westfield State College, Worcester State College, Berkshire Community College, Bristol
198 Community College, Bunker Hill Community College, Cape Cod Community College,
199 Greenfield Community College, Holyoke Community College, Massachusetts Bay Community
200 College, Massasoit Community College, Middlesex Community College, Mount Wachusett
201 Community College, North Shore Community College, Northern Essex Community College,
202 Quinsigamond Community College, Roxbury Community College and Springfield Technical
203 Community College, as a direct result of the implementation of this section.

204 (x) The respective boards of trustees for the University of Massachusetts system,
205 Bridgewater State College, Fitchburg State College, Framingham State College, Salem State
206 College, Westfield State College, Worcester State College, Berkshire Community College,
207 Bristol Community College, Bunker Hill Community College, Cape Cod Community College,
208 Greenfield Community College, Holyoke Community College, Massachusetts Bay Community
209 College, Massasoit Community College, Middlesex Community College, Mount Wachusett
210 Community College, North Shore Community College, Northern Essex Community College,
211 Quinsigamond Community College, Roxbury Community College and Springfield Technical
212 Community College shall each issue an annual report on the progress of this initiative not later
213 than February 1 of each year to the chairs of the joint committee on higher education, the chairs
214 of the house and senate committees on ways and means and the executive office for
215 administration and finance. The report shall include the number of out-of-state students attending

216 the school, the amount of tuition revenue retained under the program and any programs or
217 initiatives funded with the retained revenue.