

**SENATE . . . . . No. 663**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Eileen M. Donoghue***

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*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.

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PETITION OF:

NAME:

*Eileen M. Donoghue*

DISTRICT/ADDRESS:

*First Middlesex*

**SENATE . . . . . No. 663**

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By Ms. Donoghue, a petition (accompanied by bill, Senate, No. 663) of Eileen M. Donoghue for legislation to provide tuition retention at the University of Massachusetts. Higher Education.

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**The Commonwealth of Massachusetts**

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**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 1B. (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; “student tuition credit” a  
8 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.