

Senator Stephen H. Urquhart proposes the following substitute bill:

**HIGHER EDUCATION TUITION WAIVERS**

2013 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Stephen H. Urquhart**

House Sponsor: Don L. Ipson

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**LONG TITLE**

**General Description:**

This bill amends provisions related to tuition waivers at institutions of higher education.

**Highlighted Provisions:**

This bill:

- ▶ removes the cap on the number of waivers allotted to institutions of higher education for nonresident students who meet certain academic and admission requirements;
- ▶ extends alumni legacy nonresident scholarships at institutions of higher education to grandchildren of alumni; and
- ▶ requires the State Board of Regents to set certain surcharges related to a tuition waiver.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:



26 53B-8-101, as last amended by Laws of Utah 2010, Chapter 211

27 53B-8-103, as last amended by Laws of Utah 2009, Chapter 363

28 53B-8-103.5, as enacted by Laws of Utah 2009, Chapter 363



30 *Be it enacted by the Legislature of the state of Utah:*

31 Section 1. Section 53B-8-101 is amended to read:

32 **53B-8-101. Waiver of tuition.**

33 (1) (a) The president of each institution may waive all or part of the tuition in behalf of  
34 meritorious or impecunious resident students to an amount not exceeding 10% of the total  
35 amount of tuition which, in the absence of the waivers, would have been collected from all  
36 Utah resident students at the institution.

37 (b) Two and a half percent of the waivers designated in Subsection (1)(a) shall be set  
38 aside for members of the Utah National Guard. Waivers shall be preserved by the student at  
39 least 60 days before the beginning of an academic term.

40 ~~[(2) (a) Each academic year the president of each of the following institutions may  
41 waive all or part of the resident portion of the tuition in behalf of the additional number of  
42 meritorious nonresident students set forth below who are not current recipients of the waiver:]~~

43 ~~[(i) the University of Utah president may grant up to 190 waivers;]~~

44 ~~[(ii) the Utah State University president may grant up to 183 waivers, 18 of which shall  
45 be awarded to students at Utah State University-College of Eastern Utah;]~~

46 ~~[(iii) the Weber State University president may grant up to 135 waivers;]~~

47 ~~[(iv) the Southern Utah University president may grant up to 68 waivers;]~~

48 ~~[(v) the Snow College president may grant up to 18 waivers;]~~

49 ~~[(vi) the Dixie State College of Utah president may grant up to 30 waivers;]~~

50 ~~[(vii) the Utah Valley University president may grant up to 114 waivers; and]~~

51 ~~[(viii) the Salt Lake Community College president may grant up to 43 waivers.]~~

52 ~~[(b) (i) A president may continue to waive the resident portion of the tuition during the  
53 entire time the affected meritorious nonresident student remains an undergraduate student in  
54 good standing at the institution.]~~

55 ~~[(ii) The resident portion of the tuition for each nonresident student is equal to the  
56 tuition for resident students at the institution.]~~

57 ~~[(c) A president may waive the nonresident portion of tuition for a meritorious~~  
 58 ~~nonresident student receiving a waiver under Subsection (2)(a) after completion of the student's~~  
 59 ~~first year of full-time study at the institution.]~~

60 ~~[(d) (i) In addition to the waivers authorized by Subsections (2)(a) and (c), a president~~  
 61 ~~may waive all or part of the nonresident portion of tuition for a meritorious nonresident student~~  
 62 ~~during the student's first year of full-time study at the institution.]~~

63 ~~[(ii) The number of these nonresident waivers for each institution is limited to the~~  
 64 ~~percentage of nonresident students at each institution times the nonresident student number~~  
 65 ~~allowed under Subsection (2)(a).]~~

66 (2) (a) A president of an institution of higher education listed in Subsections  
 67 53B-2-101(1)(a) through (h) may waive all or part of the nonresident portion of tuition for a  
 68 meritorious nonresident undergraduate student.

69 (b) In determining which students are meritorious for purposes of granting a tuition  
 70 waiver under Subsection (2)(a), a president shall consider students who are performing above  
 71 the average at the institution, including having an admissions index higher than the average for  
 72 the institution, if an admission index is used.

73 (c) A president may continue to waive the nonresident portion of tuition for a student  
 74 described in Subsection (2)(a) for as long as the student is enrolled at the institution.

75 (d) In addition to waiving the nonresident portion of tuition for a meritorious  
 76 nonresident student under Subsection (2)(a), a president may waive the resident portion of  
 77 tuition after the meritorious nonresident student completes a year of full-time study at the  
 78 institution.

79 (3) Upon recommendation of the board, a president ~~H→~~ [may] shall ~~←H~~ grant additional  
 79a full or partial  
 80 tuition waivers to encourage students to enroll for instruction in occupations critical to the state  
 81 for which trained personnel are in short supply.

82 (4) A president may waive all or part of the difference between resident and  
 83 nonresident tuition in the case of:

84 (a) meritorious graduate students [and]; or

85 (b) nonresident summer school students.

86 (5) The board shall submit annual budget appropriation requests for each institution,  
 87 which include requests for funds sufficient in amount to equal the estimated loss of dedicated

88 credits that would be realized if all of the tuition waivers authorized by Subsection (2) were  
89 granted.

90 Section 2. Section **53B-8-103** is amended to read:

91 **53B-8-103. Waiver of nonresident differential in tuition rates -- Dixie State**  
92 **College of Utah good neighbor tuition waivers.**

93 (1) Notwithstanding any other provision of law:

94 (a) (i) The board may determine when to grant a full or partial waiver of the  
95 nonresident differential in tuition rates charged to undergraduate students pursuant to reciprocal  
96 agreements with other states.

97 (ii) In making the determination described under Subsection (1)(a)(i), the board shall  
98 consider the potential of the waiver to:

99 (A) enhance educational opportunities for Utah residents;

100 (B) promote mutually beneficial cooperation and development of Utah communities  
101 and nearby communities in neighboring states;

102 (C) contribute to the quality of educational programs; and

103 (D) assist in maintaining the cost effectiveness of auxiliary operations in Utah  
104 institutions of higher education.

105 (b) (i) Consistent with its determinations made pursuant to Subsection (1)(a), the board  
106 may enter into agreements with other states to provide for a full or partial reciprocal waiver of  
107 the nonresident tuition differential charged to undergraduate students.

108 (ii) An agreement shall provide for the numbers and identifying criteria of  
109 undergraduate students, and shall specify the institutions of higher education that will be  
110 affected by the agreement.

111 (c) The board shall establish policy guidelines for the administration by the affected  
112 Utah institutions of any tuition waivers authorized under this section, for evaluating applicants  
113 for such waivers, and for reporting the results of the reciprocal waiver programs authorized by  
114 this section.

115 (d) A report and financial analysis of any waivers of tuition authorized under this  
116 section shall be submitted annually to the general session of the Legislature as part of the  
117 budget recommendations of the board for the system of higher education.

118 (2) (a) Dixie State College of Utah may offer a good neighbor full waiver of the

119 nonresident differential in tuition rates charged to undergraduate students:

120 (i) pursuant to reciprocal agreements with other states; or

121 (ii) to a resident of a county that has a portion of the county located within 70 miles of  
122 the main campus of Dixie State College of Utah.

123 (b) (i) A student who attends Dixie State College of Utah under a good neighbor tuition  
124 waiver shall pay a surcharge per credit hour in addition to the regular resident tuition and fees  
125 of Dixie State College of Utah.

126 (ii) The surcharge per credit hour shall be based on a percentage of the approved  
127 resident tuition per credit hour each academic year.

128 (iii) The percentage assessed as a surcharge per credit hour [~~may not be less than 70%~~  
129 ~~of resident tuition per credit hour~~] shall be set by the State Board of Regents.

130 (c) Dixie State College of Utah may restrict the number of good neighbor tuition  
131 waivers awarded.

132 (d) A student who attends Dixie State College of Utah on a good neighbor tuition  
133 waiver may not count the time during which the waiver is received towards establishing  
134 resident student status in Utah.

135 Section 3. Section **53B-8-103.5** is amended to read:

136 **53B-8-103.5. Alumni legacy nonresident scholarships.**

137 (1) In addition to other nonresident tuition scholarships, the president of an institution  
138 may also waive an amount up to the full nonresident portion of tuition for alumni legacy  
139 nonresident scholarships.

140 (2) The purposes of alumni legacy nonresident scholarships are to:

141 (a) assist in maintaining an adequate level of service and related cost-effectiveness of  
142 auxiliary operations in institutions of higher education;

143 (b) promote enrollment of nonresident students with high academic aptitudes; and

144 (c) recognize the legacy of past graduates and promote a continued connection to their  
145 alma mater.

146 (3) To qualify for an alumni legacy scholarship, a student shall:

147 (a) enroll at an institution within the state system of higher education for the first time;  
148 and

149 (b) have at least one parent or grandparent who graduated with an associates' degree or

150 higher from the same institution in which the student is enrolling.

151 (4) A student who attends an institution within the state system of higher education on  
152 an alumni legacy nonresident scholarship may not count the time during which the scholarship  
153 is received towards establishing resident student status in Utah.