

HOUSE No. 431

By Mr. Long of Dover, petition of Charles W. Long for legislation to establish tuition rates at public institutions of higher education based on the individuals ability to pay. Education.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Three.

ACT TO ESTABLISH TUITION RATES AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION BASED ON INDIVIDUAL ABILITY TO PAY.

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 73 of the General Laws is hereby
2 amended by inserting after section 1D, inserted by section 8 of
3 chapter 642 of the acts of 1963, the following section: —

4 *Section 1E.* As used in this section, the following words shall
5 have the following meanings, unless the context otherwise
6 requires:

7 “Academic year” shall mean the period of twelve months
8 beginning on July first of a calendar year and ending on June
9 thirtieth of the following calendar year.

10 “Gross assessable income attributable to such student” shall
11 mean the net adjusted calendar year income, as determined for
12 federal income tax purposes, but including also income derived
13 from interest on obligations the income from which is
14 tax-exempt, of the following persons:

15 (a) Such student’s parents, including adoptive parents, if at
16 the beginning of such calendar year such student was under the
17 age of twenty-one years;

18 (b) Such student; and

19 (c) Such student’s spouse if married to such student at any
20 time during such calendar year.

21 “Maximum annual tuition” for an academic year at a public
22 institution of higher education shall mean the lesser of: (a) Two
23 thousand dollars; or (b) The average annual per student cost of
24 instruction for all full-time students at such public institution of
25 higher education for the preceding academic year, as estimated

26 by the Board of Trustees responsible for the management of such
27 public institution of higher education before the end of such
28 preceding academic year.

29 “Net assessable income attributable to such student” shall
30 mean the gross assessable income attributable to such student in
31 a calendar year, reduced by the following:

32 (a) Four thousand dollars; and

33 (b) Two thousand dollars for each of the following: Each
34 child of either or both of such student’s parents, including
35 adoptive parents, whom such parent or parents were entitled to
36 claim as a dependent for federal income tax purposes in such
37 calendar year; the student’s spouse; and each child of the student
38 or his spouse whom such student or his spouse were entitled to
39 claim as a dependent for federal income tax purposes in such
40 calendar year.

41 “Public institution of higher education” shall mean the
42 University of Massachusetts, Southern Massachusetts University,
43 Lowell Technological Institute, the Massachusetts College of Art,
44 the Massachusetts Maritime Academy, the state colleges and the
45 regional community colleges.

46 The amount of the annual tuition fee to be paid by a full-time
47 student who is a Massachusetts resident enrolled in a
48 degree-granting program at a public institution of higher educa-
49 tion shall be the maximum annual tuition at such institution for
50 the academic year in which he is so enrolled, unless, at such time
51 as is determined by the board of trustees responsible for the
52 management of such institution, there shall be filed a statement
53 of the net assessable income attributable to such student, in
54 which the event the amount of the annual tuition fee for such
55 student shall be ten per cent of such net assessable income, if
56 any. The amount of the annual tuition fee to be paid by a
57 student who is a Massachusetts resident enrolled in such
58 institution who is not a full-time student, or who is not in
59 degree-granting program, or who is not enrolled for an entire
60 academic year, or who is carrying a course-load greater than the
61 course-load ordinarily carried by a full-time student, shall be the
62 annual tuition fee to be paid by such student if such student
63 were a full-time student in a degree-granting program, adjusted,
64 however, as the board of trustees responsible for the management
65 of such institution may provide, to reflect proportionately the

66 amount of educational service rendered to such student. State-
67 **ments of net assessable** income shall be filed on a form prescribed
68 by the board of higher education and shall be signed under the
69 penalties of perjury by the student to whom such income is
70 attributable, and by his parents if their income is required to be
71 included in the gross assessable income attributable to such
72 student.

73 The amount of the tuition fee to be paid by a student enrolled
74 at a public institution of higher education who is not a
75 Massachusetts resident shall be the maximum annual tuition or
76 proportionate amount thereof, which a Massachusetts resident
77 would be required to pay.

1 SECTION 2. The second paragraph of section 28 of chapter
2 15 of the General Laws, as most recently amended by chapter
3 866 of the acts of 1969, is hereby amended by striking out the
4 second sentence and inserting in place thereof the following
5 sentence: — The amount of the tuition fee to be paid by each
6 student shall be determined under the provisions of section one E
7 of chapter seventy-three.

1 SECTION 3. Section 1 of chapter 73 of the General Laws is
2 hereby amended by striking out the last sentence of the first
3 paragraph inserted by section 8 of chapter 561 of the acts of
4 1964 and inserting in place thereof the following sentence: —
5 The amount of the service fee to be paid by each midshipman
6 shall be determined under the provisions of section one E.

1 SECTION 4. Chapter 73 of the General Laws is hereby
2 amended by striking out section 1A, as most recently amended
3 by section 6 of chapter 642 of the acts of 1963, and inserting in
4 place thereof the following section: —

5 *Section 1A.* The amount of the tuition fee to be paid by
6 each student at any of the state colleges and the Massachusetts
7 College of Art, except tuition fees charged to veterans, and fixed
8 by the Veterans Administration pursuant to law, shall be
9 determined under the provisions of section one E. The board of
10 trustees shall, furthermore, charge any pupil at any of the
11 aforesaid state colleges maintaining a dormitory and boarding
12 hall a reasonable charge for room and board at a rate not less
13 than four hundred and twenty dollars per year.

1 SECTION 5. Section 46 of chapter 74 of the General Laws is
2 hereby repealed.

1 SECTION 6. Chapter 75A of the General Laws is hereby
2 amended by striking out section 14, inserted by section 3 of
3 chapter 407 of the acts of 1953, and inserting in place thereof
4 the following section: –

5 *Section 14.* The amount of the tuition fee to be paid by each
6 student shall be determined under the provisions of section one E
7 of chapter seventy-three.

1 SECTION 7. The provisions of this act shall not apply to any
2 student enrolled in a public institution of higher education
3 during the academic year 1973-74 with respect to the tuition
4 payable by such student in said year or thereafter.