

HOUSE No. 1177

By Mr. Fagan of Taunton, petition of James H. Fagan and others relative to student fees assessed by public institutions of higher education. Higher Education.

The Commonwealth of Massachusetts

PETITION OF:

James H. Fagan
Thomas A. Golden, Jr.

David B. Sullivan
John A. Lepper

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO STUDENT FEES.

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 29 of Chapter 15A of the General Laws, as appearing in
2 the 2004 Official Edition, is hereby amended by striking out para-
3 graphs (a), (b) and (c) and inserting in place thereof the following 3
4 paragraphs:—

5 (a) as used in this chapter and in Chapters 73 and 75 the following
6 words shall have the following meanings:—

7 “Nonpartisan”, as applied to student organizations not endorsing
8 or adhering to particular ideological or religious positions in the
9 articles of incorporation, charter, constitution, or bylaws.

10 “Official student referendum”, a referendum vote of the student
11 body which is sanctioned by the college-recognized student govern-
12 mental association and certified by said student governmental asso-
13 ciation as valid.

14 “Optional fee”, any amount payable on a student tuition bill, but
15 not a mandatory charge or waivable fee, appearing as a separately
16 assessed item, accompanied by a statement as to the nature of said
17 item and that said item is not a charge required to be paid by the stu-
18 dent but rather the student may add said charge to the total amount

19 due, and that said item is displayed on the bill at the request of the
20 student body and does not necessarily reflect the endorsement of the
21 board of trustees.

22 “Student organization”, any organization of students at public
23 post-secondary educational institutions which is open to membership
24 of all students who pay the optional fee and is controlled by its stu-
25 dents.

26 (b) Non-mandatory student fees to nonpartisan student organiza-
27 tions which employs legislative agents as defined in Section 39 of
28 Chapter 3 or to nonpartisan student organizations attempting to
29 influence legislation as defined in Section 44 of said Chapter 3 shall
30 be paid on student tuition bills by an optional fee whenever students
31 have authorized said optional fee on the tuition bill by a majority
32 vote of the students voting in an official student referendum. The
33 continuation of said optional fee on the student tuition bill may be
34 subject to reauthorization by an official student referendum every 2
35 years. Necessary administrative costs arising in connection with the
36 collection of said fee may be billed by the board of trustees to the
37 student organization at the time of the transfer of funds collected to
38 said student organization.

39 (c) The board of trustees shall not allow any funds for legislative
40 agents as defined in Section 39 of said Chapter 3 or organizations
41 attempting to influence legislation as defined in Section 44 of said
42 Chapter 3 to be assessed on student tuition bills; provided, however,
43 that optional fees for nonpartisan student organizations which
44 employ said legislative agents or attempt to influence legislation
45 shall be collected by the boards of trustees whenever students have
46 authorized an optional fee by a majority vote of those students
47 voting in an official student referendum. Said optional fees shall be
48 collected as provided in paragraph (b).