



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB2540

Introduced 2/18/2015, by Rep. Michael W. Tryon

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the University Student Fee Act. Provides that all students enrolled in college credit programs at State universities shall be charged fees, except students who are exempt from fees or students whose fees are waived. Provides that, beginning on July 1, 2016, the resident undergraduate tuition for lower-level and upper-level coursework at a State university shall be \$103.32 per credit hour. Provides that, beginning with the 2018 fiscal year and each fiscal year thereafter, the resident undergraduate tuition per credit hour shall increase at the beginning of each fall semester at a rate equal to inflation. Allows the Board of Higher Education or the Board's designee to establish tuition for graduate and professional programs and out-of-State fees for all programs. Sets forth provisions concerning flexible tuition policies, the establishment of fees, fee proposals, a tuition differential, and rules.

LRB099 09988 NHT 30208 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 University Student Fee Act.

6 Section 5. Definitions. In this Act:

7 "Board" means the Board of Higher Education.

8 "University" means the University of Illinois, Southern  
9 Illinois University, Chicago State University, Eastern  
10 Illinois University, Governors State University, Illinois  
11 State University, Northeastern Illinois University, Northern  
12 Illinois University, Western Illinois University, and any  
13 other public universities now or hereafter established or  
14 authorized by the General Assembly.

15 Section 10. Application.

16 (a) This Act applies notwithstanding any other provision of  
17 law to the contrary.

18 (b) This Act applies to students enrolled in college credit  
19 programs at State universities.

20 Section 15. Fees required to be charged; resident  
21 undergraduate tuition rate.

1 (a) All students shall be charged fees, except students who  
2 are exempt from fees or students whose fees are waived.

3 (b) Beginning on July 1, 2016, the resident undergraduate  
4 tuition for lower-level and upper-level coursework shall be  
5 \$103.32 per credit hour.

6 (c) Beginning with the 2018 fiscal year and each fiscal  
7 year thereafter, the resident undergraduate tuition per credit  
8 hour shall increase at the beginning of each fall semester at a  
9 rate equal to inflation. The Department of Labor shall report  
10 the rate of inflation to the President of the Senate, the  
11 Speaker of the House of Representatives, the Governor, and the  
12 Board each year prior to March 1. For purposes of this  
13 subsection (c), the rate of inflation shall be defined as the  
14 rate of the 12-month percentage change in the Consumer Price  
15 Index for All Urban Consumers, U.S. City Average, All Items, or  
16 successor reports as reported by the United States Department  
17 of Labor, Bureau of Labor Statistics, or its successor for  
18 December of the previous year. In the event the percentage  
19 change is negative, the resident undergraduate tuition shall  
20 remain at the same level as the prior fiscal year.

21 Section 20. Tuition for graduate and professional  
22 programs; out-of-State fees. The Board or the Board's designee  
23 may establish tuition for graduate and professional programs  
24 and out-of-State fees for all programs. Except as otherwise  
25 provided in this Section, the sum of tuition and out-of-State

1 fees assessed to nonresident students must be sufficient to  
2 offset the full instructional cost of serving such students.  
3 However, adjustments to out-of-State fees or tuition for  
4 graduate programs and professional programs may not exceed 15%  
5 in any year.

6 Section 25. Flexible tuition policies. The Board may  
7 consider and approve flexible tuition policies as requested by  
8 a university's board of trustees, in accordance with the  
9 provisions of Section 35 of this Act, only to the extent such  
10 policies are in alignment with the mission of the university  
11 and do not increase the State's fiscal liability or  
12 obligations.

13 Section 30. Establishment of fees.

14 (a) The sum of the activity and service, health, and  
15 athletic fees a student is required to pay to register for a  
16 course shall not exceed 40% of the tuition established under  
17 this Act. No university shall be required to lower any fee in  
18 effect on the effective date of this Act in order to comply  
19 with this Section. Within the 40% cap, universities may not  
20 increase the aggregate sum of activity and service, health, and  
21 athletic fees more than 5% per year or the same percentage  
22 increase in tuition authorized under subsection (c) of Section  
23 15 of this Act, whichever is greater, unless specifically  
24 authorized by law. A university may increase its athletic fee

1 to defray the costs associated with changing National  
2 Collegiate Athletic Association divisions. Any such increase  
3 in the athletic fee may exceed both the 40% cap and the 5% cap  
4 imposed by this subsection (a). Any such increase must be  
5 approved by the athletic fee committee in the process outlined  
6 in subsection (j) of this Section and may not exceed \$2 per  
7 credit hour. That portion of any increase in an athletic fee  
8 pursuant to this Section that causes the sum of the activity  
9 and service, health, and athletic fees to exceed the 40% cap or  
10 the annual increase in such fees to exceed the 5% cap shall not  
11 be included in calculating the amount a student receives from a  
12 scholarship from the Illinois Student Assistance Commission.

13 (b) This Section does not prohibit a university from  
14 increasing or assessing optional fees related to specific  
15 activities if payment of such fees is not required as a part of  
16 registration for courses.

17 (c) A university may implement a differential out-of-State  
18 fee, in accordance with rules developed by the Board, for the  
19 following:

20 (1) A student from another state that borders the  
21 service area of the university.

22 (2) A graduate student who has been determined to be a  
23 nonresident for tuition purposes and has a 0.25 full-time  
24 equivalent appointment or greater as a graduate assistant,  
25 graduate research assistant, graduate teaching assistant,  
26 graduate research associate, or graduate teaching

1 associate.

2 (3) A graduate student who has been determined to be a  
3 nonresident for tuition purposes and is receiving a full  
4 fellowship.

5 (d) Students who are enrolled in programs in medical  
6 sciences are considered graduate students for the purpose of  
7 enrollment and student fees.

8 (e) A university's board of trustees is authorized to  
9 collect for financial aid purposes an amount not to exceed 5%  
10 of the tuition and out-of-State fees. The revenues from fees  
11 are to remain at each campus and replace existing financial aid  
12 fees. Such funds shall be disbursed to students as quickly as  
13 possible. A minimum of 75% of funds from the student financial  
14 aid fee shall be used to provide financial aid based on  
15 absolute need. The Illinois Student Assistance Commission  
16 shall develop criteria for making financial aid awards. Each  
17 university shall report annually to the Illinois Student  
18 Assistance Commission and the Board on the revenue collected  
19 pursuant to this subsection (e), the amount carried forward,  
20 the criteria used to make awards, the amount and number of  
21 awards for each criterion, and a delineation of the  
22 distribution of such awards. The report shall include an  
23 assessment by category of the financial need of every student  
24 who receives an award, regardless of the purpose for which the  
25 award is received. Awards that are based on financial need  
26 shall be distributed in accordance with a nationally recognized

1 system of need analysis approved by the Board. An award for  
2 academic merit shall require a minimum overall grade point  
3 average of 3.0 on a 4.0 scale or the equivalent for both  
4 initial receipt of the award and renewal of the award.

5 (f) The capital improvement fee is established at \$2.44 per  
6 credit hour per semester. The building fee is established at  
7 \$2.32 per credit hour per semester.

8 (g) Each university's board of trustees is authorized to  
9 establish separate activity and service, health, and athletic  
10 fees. When duly established, the fees shall be collected as  
11 component parts of tuition and fees and shall be retained by  
12 the university and paid into the separate activity and service,  
13 health, and athletic funds. Notwithstanding any other  
14 provision of law to the contrary, a university may transfer  
15 revenues derived from the fees authorized pursuant to this  
16 subsection (g) to a direct-support organization of the  
17 university to be used only for the purpose of paying and  
18 securing debt on projects approved by the Board and pursuant to  
19 a written agreement approved by the Board. The amount  
20 transferred may not exceed the amount authorized for annual  
21 debt service.

22 (h) Each university's board of trustees shall establish a  
23 student activity and service fee for the main campus of the  
24 university. The university's board of trustees may also  
25 establish a student activity and service fee for any branch  
26 campus or center. Any subsequent increase in the activity and

1 service fee must be recommended by an activity and service fee  
2 committee, at least one-half of whom are students appointed by  
3 the student body president. The remainder of the committee  
4 shall be appointed by the university president. A chairperson,  
5 appointed jointly by the university president and the student  
6 body president, shall vote only in the case of a tie. The  
7 recommendations of the committee shall take effect only after  
8 approval by the university president, after consultation with  
9 the student body president, with final approval by the  
10 university's board of trustees. An increase in the activity and  
11 service fee may occur only once each fiscal year and must be  
12 implemented beginning with the fall term. The Board is  
13 responsible for adopting the rules and timetables necessary to  
14 implement this fee.

15 The student activity and service fees shall be expended for  
16 lawful purposes to benefit the student body in general. This  
17 shall include, but shall not be limited to, student  
18 publications and grants to duly recognized student  
19 organizations, the membership of which is open to all students  
20 at the university without regard to race, sex, or religion. The  
21 funds may not benefit activities for which an admission fee is  
22 charged to students, except for student government  
23 association-sponsored concerts. The allocation and expenditure  
24 of the funds shall be determined by the student government  
25 association of the university, except that the president of the  
26 university may veto any line item or portion thereof within the



1 budget when submitted by the student government association's  
2 legislative body. The university president shall have 15 school  
3 days from the date of presentation of the budget to act on the  
4 allocation and expenditure recommendations, which shall be  
5 deemed approved if no action is taken within the 15 school  
6 days. If any line item or portion thereof within the budget is  
7 vetoed, the student government association's legislative body  
8 shall, within 15 school days, make new budget recommendations  
9 for expenditure of the vetoed portion of the funds. If the  
10 university president vetoes any line item or portion thereof  
11 within the new budget revisions, the university president may  
12 reallocate by line item that vetoed portion to bond obligations  
13 guaranteed by activity and service fees. Unexpended funds and  
14 undisbursed funds remaining at the end of a fiscal year shall  
15 be carried over and remain in the student activity and service  
16 fund and be available for allocation and expenditure during the  
17 next fiscal year.

18 (i) Each university's board of trustees shall establish a  
19 student health fee for the main campus of the university. The  
20 university's board of trustees may also establish a student  
21 health fee for any branch campus or center. Any subsequent  
22 increase in the health fee must be recommended by a health  
23 committee, at least one-half of whom are students appointed by  
24 the student body president. The remainder of the committee  
25 shall be appointed by the university president. A chairperson,  
26 appointed jointly by the university president and the student

1 body president, shall vote only in the case of a tie. The  
2 recommendations of the committee shall take effect only after  
3 approval by the university president, after consultation with  
4 the student body president, with final approval by the  
5 university's board of trustees. An increase in the health fee  
6 may occur only once each fiscal year and must be implemented  
7 beginning with the fall term. The Board is responsible for  
8 adopting the rules and timetables necessary to implement this  
9 fee.

10 (j) Each university's board of trustees shall establish a  
11 separate athletic fee for the main campus of the university.  
12 The university's board of trustees may also establish a  
13 separate athletic fee for any branch campus or center. Any  
14 subsequent increase in the athletic fee must be recommended by  
15 an athletic fee committee, at least one-half of whom are  
16 students appointed by the student body president. The remainder  
17 of the committee shall be appointed by the university  
18 president. A chairperson, appointed jointly by the university  
19 president and the student body president, shall vote only in  
20 the case of a tie. The recommendations of the committee shall  
21 take effect only after approval by the university president,  
22 after consultation with the student body president, with final  
23 approval by the university's board of trustees. An increase in  
24 the athletic fee may occur only once each fiscal year and must  
25 be implemented beginning with the fall term. The Board is  
26 responsible for adopting the rules and timetables necessary to

1 implement this fee.

2 (k) Each university's board of trustees may establish a  
3 technology fee of up to 5% of the tuition per credit hour. The  
4 revenue from this fee shall be used to enhance instructional  
5 technology resources for students and faculty.

6 (l) Except as otherwise provided in Section 35 of this Act,  
7 each university's board of trustees is authorized to establish  
8 the following fees:

9 (1) A nonrefundable application fee in an amount not to  
10 exceed \$30.

11 (2) An orientation fee in an amount not to exceed \$35.

12 (3) A fee for security, access, or identification  
13 cards. The annual fee for such a card may not exceed \$10  
14 per card. The maximum amount charged for a replacement card  
15 may not exceed \$15.

16 (4) Registration fees for audit and zero-hours  
17 registration; a service charge, which may not exceed \$15,  
18 for the payment of tuition and fees in installments; and a  
19 late-registration fee in an amount not less than \$50 nor  
20 more than \$100 to be imposed on students who fail to  
21 initiate registration during the regular registration  
22 period.

23 (5) A late-payment fee in an amount not less than \$50  
24 nor more than \$100 to be imposed on students who fail to  
25 pay or fail to make appropriate arrangements to pay (by  
26 means of installment payment, deferment, or third-party

1 billing) tuition by the deadline set by each university.  
2 Each university may adopt specific procedures or policies  
3 for waiving the late-payment fee for minor underpayments.

4 (6) Fees for transcripts and diploma replacement, not  
5 to exceed \$10 per item.

6 (7) A nonrefundable admissions deposit for  
7 undergraduate, graduate, and professional degree programs  
8 in an amount not to exceed \$200. The admissions deposit  
9 shall be imposed at the time of an applicant's acceptance  
10 to the university and shall be applied toward tuition upon  
11 enrollment. If the applicant does not enroll in the  
12 university, the admissions deposit shall be deposited in an  
13 auxiliary account of the university and used to expand  
14 financial assistance, scholarships, and student academic  
15 and career counseling services at the university. The Board  
16 shall adopt a policy that provides for the waiver of such  
17 admissions deposit on the basis of financial hardship.

18 (8) A fee for miscellaneous health-related charges for  
19 services provided at cost by the university health center  
20 that are not covered by the health fee set under subsection  
21 (i) of this Section.

22 (9) Materials and supplies fees to offset the cost of  
23 materials or supplies that are consumed in the course of  
24 the student's instructional activities, excluding the cost  
25 of equipment replacement, repairs, and maintenance.

26 (10) Housing rental rates and miscellaneous housing

1 charges for services provided by the university at the  
2 request of the student.

3 (11) A charge representing the reasonable cost of  
4 efforts to collect payment of overdue accounts.

5 (12) A service charge on university loans in lieu of  
6 interest and administrative handling charges.

7 (13) A fee for off-campus course offerings when the  
8 location results in specific, identifiable, increased  
9 costs to the university.

10 (14) Library fees and fines, including charges for  
11 damaged and lost library materials, overdue reserve  
12 library books, interlibrary loans, and literature  
13 searches.

14 (15) Fees relating to duplicating, photocopying,  
15 binding, and microfilming; copyright services; and  
16 standardized testing. These fees may be charged only to  
17 those who receive the services.

18 (16) Fees and fines relating to the use, late return,  
19 and loss and damage of facilities and equipment.

20 (17) A returned-check fee for unpaid checks returned to  
21 the university.

22 (18) Traffic and parking fines, charges for parking  
23 decals, and transportation access fees.

24 (19) A fee for child care and services offered by the  
25 university.

26 (20) A transient student fee that may not exceed \$5 per

1 distance learning course for accepting a transient student  
2 and processing the transient student's admissions  
3 application.

4 With the exception of housing rental rates and except as  
5 otherwise provided, fees assessed pursuant to items (8) through  
6 (19) of this subsection (1) shall be based on reasonable costs  
7 of services.

8 The Board shall adopt rules and timetables necessary to  
9 implement the fees and fines authorized under this subsection  
10 (1). The fees assessed under this subsection (1) may be used  
11 for debt.

12 Section 35. Fee proposals.

13 (a) The Board may approve the following:

14 (1) A proposal from a university's board of trustees to  
15 establish a new student fee that is not specifically  
16 authorized by this Act.

17 (2) A proposal from a university's board of trustees to  
18 increase the current cap for an existing fee authorized  
19 pursuant to items (1) through (7) of subsection (1) of  
20 Section 30 of this Act.

21 (3) A proposal from a university's board of trustees to  
22 implement flexible tuition policies, such as undergraduate  
23 or graduate block tuition, a block tuition differential, or  
24 market tuition rates for graduate-level online courses or  
25 graduate-level courses offered through a university's

1 continuing education program. A block tuition policy for  
2 resident undergraduate students or undergraduate-level  
3 courses shall be based on the per-credit-hour  
4 undergraduate tuition established under Section 15 of this  
5 Act. A block tuition policy for nonresident undergraduate  
6 students shall be based on the per-credit-hour  
7 undergraduate tuition and out-of-State fee established  
8 under Section 15 of this Act. Flexible tuition policies,  
9 including block tuition, may not increase this State's  
10 fiscal liability or obligation.

11 (b) A proposal developed pursuant to subsection (a) of this  
12 Section shall be submitted in accordance with guidelines  
13 established by the Board. Approval by the Board of such a  
14 proposal must be made in accordance with the provisions of this  
15 Section.

16 (c) In reviewing a proposal to establish a new fee under  
17 subdivision (1) of subsection (a) of this Section, the Board  
18 shall consider the following:

19 (1) The purpose to be served or accomplished by the new  
20 fee.

21 (2) Whether there is a demonstrable, student-based  
22 need for the new fee that is not currently being met  
23 through existing university services, operations, or  
24 another fee.

25 (3) Whether the financial impact on students is  
26 warranted in light of other charges assessed to students

1 for tuition and associated fees.

2 (4) Whether any restrictions, limitations, or  
3 conditions should be placed on the use of the fee.

4 (5) Whether there are outcome measures to indicate if  
5 the purpose for which the fee was established is  
6 accomplished.

7 (d) In reviewing a proposal to increase or exceed the  
8 current cap for an existing fee under subdivision (2) of  
9 subsection (a) of this Section, the Board shall consider the  
10 following:

11 (1) The services or operations currently being funded  
12 by the fee.

13 (2) Whether those services or operations can be  
14 performed more efficiently to alleviate the need for any  
15 increase.

16 (3) The additional or enhanced services or operations  
17 to be funded by the increase.

18 (4) Whether any alternative resources are available to  
19 meet the need.

20 (5) Whether the financial impact on students is  
21 warranted in light of other charges assessed to students  
22 for tuition and associated fees.

23 (e) In reviewing a proposal to implement a flexible tuition  
24 policy under subdivision (3) of subsection (a) of this Section,  
25 the Board shall consider the following:

26 (1) Whether the proposed tuition flexibility policy is



1 aligned with the mission of the university.

2 (2) Whether the proposed tuition flexibility policy  
3 increases this State's fiscal liabilities or obligations,  
4 and, if so, the proposal shall be denied.

5 (3) Whether any restrictions, limitations, or  
6 conditions should be placed on the policy.

7 (4) How the proposed tuition flexibility policy will be  
8 implemented to honor the advance payment contracts of  
9 students who are beneficiaries of prepaid tuition  
10 contracts.

11 (f) The Board shall submit an annual report to the  
12 President of the Senate, the Speaker of the House of  
13 Representatives, and the Governor summarizing the proposals  
14 received by the Board during the preceding year and actions  
15 taken by the Board in response to such proposals. The Board  
16 shall also include in the annual report the following  
17 information for each fee established pursuant to subdivision  
18 (1) of subsection (a) of this Section:

19 (1) The amount of the fee.

20 (2) The total revenues generated by the fee.

21 (3) Detailed expenditures of the revenues generated by  
22 the fee.

23 (g) The aggregate sum of any fees established pursuant to  
24 subdivision (1) of subsection (a) of this Section that a  
25 student is required to pay to register for a course shall not  
26 exceed 10% of tuition.

1           (h) The revenues generated by a fee established pursuant to  
2 subdivision (1) of subsection (a) of this Section may not be  
3 transferred to an auxiliary enterprise or a direct-support  
4 organization and may not be used for the purpose of paying or  
5 securing debt.

6           (i) If the Board approves a university's proposal to  
7 establish a fee pursuant to subdivision (1) of subsection (a)  
8 of this Section, a fee committee shall be established at the  
9 university to make recommendations to the university president  
10 and the university's board of trustees regarding how the  
11 revenue from the fee is to be spent and any subsequent changes  
12 to the fee. At least one-half of the committee must be students  
13 appointed by the student body president. The remainder of the  
14 committee shall be appointed by the university president. A  
15 chairperson, appointed jointly by the university president and  
16 the student body president, shall vote only in the case of a  
17 tie.

18           (j) An increase to an existing fee or a fee established  
19 pursuant to subdivision (1) of subsection (a) of this Section  
20 may occur no more than once each fiscal year and must be  
21 implemented beginning with the fall term.

22           Section 40. Tuition differential.

23           (a) Each university's board of trustees may establish a  
24 tuition differential for undergraduate courses upon receipt of  
25 approval from the Board. The tuition differential shall promote

1 improvements in the quality of undergraduate education and  
2 shall provide financial aid to undergraduate students who  
3 exhibit financial need.

4 (b) Seventy percent of the revenues from the tuition  
5 differential shall be expended for purposes of undergraduate  
6 education. Such expenditures may include, but are not limited  
7 to, increasing course offerings, improving graduation rates,  
8 increasing the percentage of undergraduate students who are  
9 taught by faculty, decreasing student-faculty ratios,  
10 providing salary increases for faculty who have a history of  
11 excellent teaching in undergraduate courses, improving the  
12 efficiency of the delivery of undergraduate education through  
13 academic advisement and counseling, and reducing the  
14 percentage of students who graduate with excess hours. This  
15 expenditure for undergraduate education may not be used to pay  
16 the salaries of graduate teaching assistants. Except as  
17 otherwise provided in this Section, the remaining 30% of the  
18 revenues from the tuition differential or the equivalent amount  
19 of revenue from private sources shall be expended to provide  
20 financial aid to undergraduate students who exhibit financial  
21 need, including students who are scholarship recipients, to  
22 meet the cost of university attendance. This expenditure for  
23 need-based financial aid shall not supplant the amount of  
24 need-based aid provided to undergraduate students in the  
25 preceding fiscal year from financial aid fee revenues, from the  
26 direct appropriation for financial assistance provided to

1 universities, or from private sources. If the entire tuition  
2 and fee costs of resident students who have applied for and  
3 received Pell Grant funds have been met and the university has  
4 excess funds remaining from the 30% of the revenues from the  
5 tuition differential required to be used to assist students who  
6 exhibit financial need, the university may expend the excess  
7 portion in the same manner as required for the other 70% of the  
8 tuition differential revenues.

9 (c) Each tuition differential is subject to the following  
10 conditions:

11 (1) The tuition differential may be assessed on one or  
12 more undergraduate courses or on all undergraduate courses  
13 at a university.

14 (2) The tuition differential may vary by course or  
15 courses, by campus or center location, and by institution.  
16 Each university's board of trustees shall strive to  
17 maintain and increase enrollment in degree programs  
18 related to mathematics, science, high technology, and  
19 other State or regional high-need fields when establishing  
20 tuition differentials by course.

21 (3) For each university, the aggregate sum of tuition  
22 and the tuition differential may not be increased by more  
23 than 15% of the total charged for the aggregate sum of  
24 these fees in the preceding fiscal year.

25 (4) The aggregate sum of undergraduate tuition and fees  
26 per credit hour, including the tuition differential, may

1 not exceed the national average of undergraduate tuition  
2 and fees at 4-year, degree-granting, public, postsecondary  
3 educational institutions.

4 (5) Beneficiaries having prepaid tuition contracts  
5 that are in effect on January 1, 2016 and which remain in  
6 effect are exempt from the payment of the tuition  
7 differential.

8 (6) The tuition differential may not be charged to any  
9 student who was in attendance at the university before  
10 January 1, 2016 and who maintains continuous enrollment.

11 (7) Subject to approval by the Board, the tuition  
12 differential authorized pursuant to this Section may take  
13 effect with the 2016 fall term.

14 (d) A university's board of trustees may submit a proposal  
15 to the Board to implement a tuition differential for one or  
16 more undergraduate courses. At a minimum, the proposal shall do  
17 the following:

18 (1) Identify the course or courses for which the  
19 tuition differential will be assessed.

20 (2) Indicate the amount that will be assessed for each  
21 tuition differential proposed.

22 (3) Indicate the purpose of the tuition differential.

23 (4) Indicate how the revenues from the tuition  
24 differential will be used.

25 (5) Indicate how the university will monitor the  
26 success of the tuition differential in achieving the

1           purpose for which the tuition differential is being  
2           assessed.

3           (e) The Board shall review each proposal and advise the  
4           university's board of trustees of approval of the proposal, the  
5           need for additional information or revision to the proposal, or  
6           denial of the proposal. The Board shall establish a process for  
7           any university to revise a proposal or appeal a decision of the  
8           Board.

9           (f) The Board shall submit a report to the President of the  
10          Senate, the Speaker of the House of Representatives, and the  
11          Governor describing the implementation of the provisions of  
12          this Section no later than January 1, 2017 and no later than  
13          January 1 each year thereafter. The report shall summarize  
14          proposals received by the Board during the preceding fiscal  
15          year and actions taken by the Board in response to such  
16          proposals. In addition, the report shall provide the following  
17          information for each university that has been approved by the  
18          Board to assess a tuition differential:

19                 (1) The course or courses for which the tuition  
20                 differential was assessed and the amount assessed.

21                 (2) The total revenues generated by the tuition  
22                 differential.

23                 (3) Detailed expenditures of the revenues generated by  
24                 the tuition differential.

25                 (4) Changes in retention rates, graduation rates, the  
26                 percentage of students graduating with more than 110% of

1 the hours required for graduation, passage rates on  
2 licensure examinations, the number of undergraduate course  
3 offerings, the percentage of undergraduate students who  
4 are taught by faculty, student-faculty ratios, and the  
5 average salaries of faculty who teach undergraduate  
6 courses.

7 (g) No university shall be required to lower any tuition  
8 differential that was approved by the Board and in effect prior  
9 to January 1, 2016 in order to comply with the provisions of  
10 this Section.

11 Section 45. Distance learning course fee.

12 (a) A University may assess a student who enrolls in a  
13 distance learning course a per-credit-hour distance learning  
14 course fee. For purposes of assessing this fee, a distance  
15 learning course is a course in which at least 80% of the direct  
16 instruction of the course is delivered using some form of  
17 technology when the student and instructor are separated by  
18 time or space or both.

19 (b) The amount of the distance learning course fee may not  
20 exceed the additional costs of the services provided that are  
21 attributable to the development and delivery of the distance  
22 learning course. If the distance learning course fee is  
23 assessed by a university, the university may not assess  
24 duplicative fees to cover the additional costs.

1           Section 50. Authorized fees only. A university may not  
2 charge any fee except as specifically authorized by law.

3           Section 90. Rules. The Board shall adopt rules to  
4 implement the provisions of this Act.