

Tuition-Setting Authority for Public Colleges and Universities

By Kyle Zinth and Matthew Smith

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Introduction

Who sets tuition? Regardless of the state in question, the answer lies in complex governance arrangements set by state constitutions, session law, and tradition. As appropriations to public postsecondary institutions continue to decline, state and higher education leaders have considered the tuition-setting question. As the summary table shows, a majority of state policies vest tuition-setting authority in local institutional boards.

The table categorizes tuition-setting authority by entity (e.g., legislature, system, institution) and by postsecondary sector (e.g., two- and four-year institutions). Following the table is a narrative for each state. State and system-level policy citations are for general, in-state tuition, and do not cover the authority to set tuition for non-resident students.

	Four-Year Institutions					Community/Technical Colleges			
	State Legislature	State Board of Education	State Systems or Boards of Higher Education	Multi-Campus Boards	Single Campus Boards	State Legislature	State Board of Education	State Systems or Boards of Higher Education	Local Community College Boards
Alabama				X	X		X		
Alaska			X					X	
Arizona			X						X
Arkansas ¹				X	X				X
California			X			X			
Colorado ²				X	X			X	
Connecticut			X		X			X	
Delaware					X				X
Florida	X					X			
Georgia			X					X	
Hawaii			X					X	
Idaho		X							X
Illinois				X	X				X
Indiana ³				X	X				X
Iowa			X						X
Kansas			X						X
Kentucky			X					X	
Louisiana	X					X			

¹ While local governing boards have the authority to set tuition, any increases in tuition can be offset by decreases in state appropriations.

² After the 2015-16 academic year, the Colorado Commission of Higher Education will establish tuition policies based on institutional mission.

³ The Indiana Commission for Higher Education recommends nonbinding tuition and fee increase targets for each institution.

	Four-Year Institutions					Community/Technical Colleges			
	State Legislature	State Board of Education	State Systems or Boards of Higher Education	Multi-Campus Boards	Single Campus Boards	State Legislature	State Board of Education	State Systems or Boards of Higher Education	Local Community College Boards
Maine				X				X	
Maryland				X	X				X
Massachusetts			X					X	
Michigan				X	X				X
Minnesota			X					X	
Mississippi			X					X	
Missouri				X	X				X
Montana			X						X
Nebraska				X	X				X
Nevada			X					X	
New Hampshire			X						X
New Jersey				X	X				X
New Mexico				X	X				X
New York			X					X	
North Carolina			X					X	
North Dakota			X					X	
Ohio				X	X				X
Oklahoma			X					X	
Oregon			X						X
Pennsylvania			X		X				X
Rhode Island ⁴									
South Carolina				X	X			X	
South Dakota			X					X	
Tennessee			X					X	
Texas			X		X				X
Utah			X					X	
Vermont			X		X			X	
Virginia					X			X	
Washington				X	X			X	
West Virginia					X				X
Wisconsin			X					X	
Wyoming					X			X	
Total	2	1	27	16	22	3	1	24	21

Alabama

Four-Year Institutions

Universities set in-state tuition rates.

Source: ALA. CODE § 16-33C-17

Community and Technical Colleges

The State Board of Education sets in-state tuition for community and technical colleges.

Source: ALA. COMMUNITY COLLEGE SYSTEM POLICY 803.01

Alaska

All Institutions

The Regents of the University of Alaska set tuition for system universities and community colleges.

Source: ALASKA STAT. § 14.40.170(B)(3)

⁴ Rhode Island House Bill 7323, Substitute A (2012) eliminated the Board of Governors for Higher Education. It is unclear which state entity will set tuition in the future.

Arizona

Four-Year Institutions

The Arizona Board of Regents sets tuition and fees at the state's three universities.

Source: ARIZ. REV. STAT. ANN. § 15-1626(5)

Community Colleges

Local community college district boards set tuition and fees.

Source: ARIZ. REV. STAT. ANN. § 15-1445(3)

Arkansas

Four-Year Institutions

University boards of trustees set tuition and fees.

Source: ARK. CODE ANN. § 6-65-105, § 6-65-212, § 6-66-102(d)(3), § 6-67-103, ARK. CONSTIT. AMD 33

Community Colleges

Local community college boards determine student tuition and fees.

ARK. CODE ANN. § 6-61-523

State Level Coordinating Board

While local boards set tuition, the legislature can offset increases by decreasing state appropriations.

Source: ARK. CODE ANN. § 6-61-228(M)(2)(B)

California

System-Level Boards

The University of California's Board of Regents sets tuition based on the president's recommendations; California State University's chancellor determines the tuition and student service fee schedules.

Source: UC REGENTS POLICY 3101 (11/10/2010); CODE REGS. TIT. 5, § 4180

Community Colleges

The legislature sets student fee schedules for all community college districts.

Source: CAL. EDUC. CODE ANN. § 76300

Colorado

Four-Year Institutions

Until 2015-16, local boards shall set tuition rates, as long as the amount does not exceed 9% annually.

Source: COLO. REV. STAT. § 23-5-130.5

Community Colleges

The state board for community colleges and occupational education sets tuition.

Source: COLO. REV. STAT. § 23-1-104(1)(b)(I); § 23-60-202

Commission on Higher Education

After July 1, 2016, institutional boards will set tuition according to commission policies.

Source: COLO. REV. STAT. § 23-1-108(12)(b)

Connecticut

State-Level Board

The Board of Regents sets tuition for all state institutions, except the University of Connecticut.

Source: CONN. GEN. STAT. ANN. § 10a-6

Delaware

All Institutions

The Boards of Trustees for the University of Delaware, Delaware State University, and Delaware Technical Community College set tuition rates.

Sources: DEL. CODE ANN. TIT. 14, § 5106; DEL. CODE ANN. TIT. 14, § 6505; DEL. CODE ANN. TIT. 14, § 9105

Florida

All Institutions

Since 2008, the legislature sets tuition. Unless otherwise provided, tuition increases at the rate of inflation.

Source: FLA. STAT. ANN. § 1009.23 & § 1009.24

Georgia

All Four-Year Institutions & Community Colleges

The Georgia Board of Regents sets tuition for all universities and community colleges.

Source: BOARD OF REGENTS POLICY MANUAL 7.3.1

Technical Colleges

The State Board of the Technical College System of Georgia sets tuition and fees rates.

Source: GA. CODE ANN. § 20-4-11

Hawaii

All Institutions

The Board of Regents of the University of Hawaii sets tuition and fees for all public institutions.

Source: HAW. REV. STAT. TIT. 18 § 304A-403, § 304A-1102; University of Hawaii Board of Regents, Policies and Bylaws, Sec. 6-1

Idaho

Four-Year Institutions

The Idaho State Board of Education sets tuition based on institutional recommendations.

Source: Board of Education, *Governing Policies and Procedures Section V: Financial Affairs Subsection R*

Community Colleges

Local boards of trustees may set tuition, as long as the increase does not exceed 10% annually.

Source: IDAHO CODE § 33-2110.

Illinois

Four-Year Institutions

Boards of Trustees of each public four-year institution have the power to set and collect tuition fees.

Sources: ILL. REV. STAT. CHS. 110, § 305/7(a), § 520/8(5), § 660/5-45(5), § 665/10-45(5), § 670/15-45(5), § 675/20-45(5), § 680/25-45(5), § 685/30-45(5), § 690/35-45(5)

Community Colleges

Each Illinois community college district will establish in-district and in-state tuition rates.

Source: ILL. REV. STAT. CH. 110, § 805/6-4, ILL. ADMIN. CODE TIT. 23, § 1501.505

Indiana

All Institutions

Local board of trustees may set the tuition and fees biennially. After tuition and fees are set, institutions may adjust the tuition and fee rates only if appropriations are reduced or withheld.

Source: IND. CODE ANN. § 21-14-2-1

State-Level Coordinating Board

The commission for higher education recommends nonbinding tuition increase targets for each institution.

Source: IND. CODE ANN. § 21-14-2-12.5

Iowa

Four-Year Institutions

The Iowa Board of Regents has the authority to establish tuition rates at the state's three universities.

Source: IOWA CODE ANN. § 262.9, IOWA ADMIN CODE § 681-9.6

Community Colleges

Local boards set tuition, as long as the amount does not exceed that of public, four-year institutions.

Source: IOWA CODE ANN. § 260C.14

Kansas

Four-Year Institutions

The Kansas Board of Regents sets tuition, fees and charges for each public four-year institution.

Source: KAN. STAT. ANN. § 76-719

Community Colleges

Local boards of trustees establish per credit-hour tuition rates.

Source: KAN. STAT. ANN. § 71-301

Kentucky

All Institutions

The Council on Postsecondary Education, a state-level coordinating board, determines tuition.

Source: KY. REV. STAT. ANN. § 164.020

Louisiana

State Legislature

The general assembly sets tuition. Institutions, however, may raise tuition rates by up to 10% annually, in exchange for achieving certain performance objectives.

Source: LA. REV. STAT. ANN. § 17.3351

Maine

The University of Maine

The Board of Trustees approves tuition rates for the University of Maine and its branch campuses.

Source: University of Maine, Board of Trustees [Policy Manual - Section 703 Tuition and Fees](#)

Community College System

The Maine Community College Board of Trustees set in-state tuition rates.

Source: ME. REV. STAT. ANN. TIT. 20-A, § 12706

Maryland

All Institutions

The local governing boards of public institutions set in-state tuition rates.

Source: MD. CODE § 10-101, § 10-208, § 12-109, § 14-104; MD. CODE § 16-103, § 16-505, § 16-606

Massachusetts

All Institutions

The Massachusetts Board of Higher Education, a state-level coordinating board, sets tuition rates based on recommendations from the University of Massachusetts and community college boards.

Source: MASS. GEN. LAWS ANN. CH. 75, § 1A, [Tuition and Fee Rates: Ten-Year History](#)

Michigan

All Institutions

Local governing boards of four-year institutions shall determine tuition and fees rates.

Sources: University of Michigan Regents, Bylaws Chapter X. Sec. 10.01; Michigan State Trustees Bylaws, Article 8; MICH. STAT. ANN. § 390.154, § 390.352, § 390.355, § 390.394, § 390.554, § 390.645, § 390.715, § 390.803, § 390.843; MICH. STAT. ANN. § 389.123

Minnesota

State Systems of Higher Education

Two system boards—one for the University of Minnesota, the other for the Minnesota State Colleges and Universities— set tuition. Tuition may vary by program or cost of instruction.

Source: MINN. STAT. ANN. § 135A.04, § 136F.06, § 136F.70

Mississippi

All Institutions

The Board of Trustees for the Institutions of Higher Learning (IHL) set tuition.

Source: IHL Policies and Bylaws, *702 Tuition, Fees, and Other Student Charges*

Missouri

All Institutions

Local boards set tuition. However, institutions exceeding the state average tuition must either remit 5% of their state appropriations or request a waiver from the Commissioner of Higher Education.

Source: MO. REV. STAT. § 173.1003; Missouri Department of Higher Education, [Tuition and Fees](#)

Montana

Four-Year Institutions Board of Regents of Higher Education

The Board of Regents sets tuition rates at four-year institutions in the Montana University System.

Source: MONT. CODE ANN. § 20-25-421

Community Colleges

Local district board of trustees sets tuition rates, upon approval of the Montana Board of Regents.

Source: MONT. CODE ANN. § 20-15-105

Nebraska

All Institutions

Local governing boards may set tuition and other fees to be paid by in-state students.

Source: NEB. REV. STAT. § 85-503; NEB. REV. STAT. § 85-1511

Nevada

All Institutions

The Board of Regents of the Nevada System of Higher Education sets tuition and fees. In-state residents are exempt from tuition, but they must pay credit-hour fees. Fees vary by institution.

Source: NEV. REV. STAT. § 396.540, Nevada System of Higher Education, [NSHE Tuition & Fees FAQ](#)

New Hampshire

University of New Hampshire System

The Board of Trustees of the University of New Hampshire System has the authority to establish tuition.

Source: N.H. REV. STAT. § 187-A:16

Community College System of New Hampshire

The community college board of trustees has the authority to establish tuition and fees amounts

Source: N.H. REV. STAT. § 188-F:6

New Jersey

Institutional governing boards have the authority to set and determine tuition rates and other fees.

Source: N.J. REV. STAT. § 18A:3B-6, § 18A:64-6, § 18A:64-13 (state colleges); § 18A:64A-12, § 18A:64A-57 (community colleges)

New Mexico

All Institutions

Local boards of each state postsecondary institution set tuition rates.

Source: N.M. REV. STAT. § 21-1-2; N.M. REV. STAT. § 21-13-10, § 21-13-24.1

New York

State Systems of Higher Education

The system boards for the State and City Universities of New York have the authority to set tuition rates.

Source: N.Y. EDUC. CODE LAW § 6007, (SUNY); N.Y. EDUC. CODE LAW § 6206 (CUNY)

North Carolina

Four-Year Institutions

The Board of Governors of the University of North Carolina set tuition rates for 17 system universities.

Source: N.C. GEN. STAT. § 116-11

Community Colleges

The State Board of Community Colleges sets tuition rates for each two-year system institution.

Source: N.C. ADMIN. CODE TIT. 21, R. 2D.0201

North Dakota

All Institutions

The North Dakota Board of Higher Education sets tuition and fees for all public institutions.

Source: N.D. CENT. CODE § 15-10-17, (SB 2351—2011)

Ohio

All Institutions

Local boards set tuition rates. The legislature determines the maximum allowable fee increases.

Source: OHIO REV. CODE § 3354.09, § 3358.08; § 3357.09

Oklahoma

All Institutions

The Oklahoma State Regents for Higher Education sets tuition at all public institutions.

Source: OKLA. STAT. ANN. TIT. 70, § 3218.8

Oregon

Oregon University System

The State Board of Higher Education may set tuition for each institution under its control.

Source: OR. REV. STAT. § 351.070

Community Colleges

Community colleges may prescribe tuition, consistent with rules set by the State Board of Education.

Source: OR. REV. STAT. § 341.290

Pennsylvania

State System of Higher Education

The Pennsylvania State System of Higher Education (PASSHE) sets tuition for its 14 institutions.

Source: Pennsylvania State System of Higher Education Board of Governors, [POLICY 1999-02-A: TUITION](#)

State-Related Universities & Community Colleges

The local boards of Lincoln University, Pennsylvania State University, Temple University, the University of Pittsburgh, and all community colleges set tuition rates.

Source: 22 PA. CODE § 40.23; 22 PA. CODE § 35.29

Rhode Island

Rhode Island House Bill 7323, Substitute A (2012) eliminated the Board of Governors for Higher Education and created a consolidated P-20 board. The budget bill does not indicate whether this board will set tuition.

South Carolina

Four-Year Institutions and Community Colleges

Local institutional governing boards set tuition rates.

Technical Colleges

The State Board Technical and Comprehensive Education sets tuition at the state's 16 technical colleges.

Source: S.C. CODE ANN. § 59-112-10

South Dakota

All Institutions

The state board of regents sets in-state tuition rates.

Source: S.D. CODE ANN. § 13-53-6, BOARD OF REGENTS Policy Manual, [Tuition and Fees: General Procedures](#)

Tennessee

State Systems of Higher Education

The Tennessee Board of Regents sets tuition for its six senior institutions and 13 community colleges. The University of Tennessee System sets tuition for its three universities and one medical campus.

Source: TN. CODES ANN. § 49-8-104, 49-8-203; 49-9-105, 49-209

Texas

All Institutions

Local or system governing boards set tuition and fees.

Source: TEX. EDUC. CODE § 54.0513 (Four-year colleges); TEX. EDUC. CODE § 130.084 (Two-year colleges)

Utah

All Institutions

The Utah Board of Regents may set the tuition, fees and charges for each postsecondary institution.

Source: UTAH CODE ANN. § 53B-7-101

Vermont

Vermont State Colleges

The State Colleges' Board of Trustees sets tuition rates for all Vermont postsecondary institutions except the University of Vermont, whose board of trustees sets tuition rates.

Source: VT. STAT. ANN. § 2174

Virginia

State Universities

The local governing boards of the 15 state universities set tuition rates.

Source: VA. CODE ANN. § 23-45, § 23-49.18, § 23-49.29, § 23-50.11, § 23-91.21, § 23-91.30, § 23-91.41, § 23-128, § 23-135.13, § 23-135.18, § 23-155.8, § 23-164.7, § 23-165.7, § 23-174.7, § 23-189

Community Colleges

The State Board for Community Colleges has the authority to set tuition fees and charges.

Source: VA. CODE ANN. § 23-218

Washington

All Institutions

University boards and the State Board of Community and Technical Colleges have the authority to set tuition rates. After 2014-15, each board can only raise tuition if it does not exceed that of institutional peers.

Source: WASH. REV. CODE § 28B.15.067

West Virginia

All Institutions

Each university or community college governing board is responsible for setting tuition and other fees.

Source: W. VA. CODE § 18B-10-1, § 18B-2A-1

Wisconsin

State Systems of Higher Education

Two system boards (University of Wisconsin and the Wisconsin Technical Colleges) set tuition.

Source: WIS. STAT. § 36.27; WIS. STAT. § 38.24

Wyoming

University of Wyoming

The University Board of Trustees may set tuition rates.

Source: WYO. STAT. § 21-17-203

Community Colleges

The Community College Commission sets tuition rates for the state's seven community colleges.

Source: WYO. STAT. § 21-18-202(a)(ii)

Kyle Zinth is a former ECS Policy Analyst. Matthew Smith is a higher education policy analyst. He may be reached at 303.299.3698 or msmith@ecs.org.

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