

TOPIC: APPLICATION FOR PARTICIPATION IN STATE-FUNDED STUDENT ASSISTANCE PROGRAM

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I. SUMMARY

The Commission is directed by statute to establish the eligibility guidelines and determine institutional eligibility for participation in the Colorado student aid program. The July 2008 court decision of Colorado Christian University vs. Weaver, Case No. 07-1247, determined that the statutory “pervasively sectarian” exclusion to the State of Colorado’s scholarship programs, contained in sections 23-3.3-101(3)(d), 23-3.5-102(3)(b), 23-3.5-105, 23-3.7-102(3)(f), 23-3.7-104, and 23-18-102(9) of the Colorado Revised Statutes, violated the First and Fourteenth Amendments to the United States Constitution, and thus that Colorado Christian University was not ineligible to participate in state funded financial aid on that basis.

II. BACKGROUND

Under CCHE policy, an “eligible institution” is one that is operating in Colorado and can document that it has a governance structure in place and the institutional capacity necessary to administer a student aid program, as well as sufficient in-state enrollment in eligible programs. An "eligible program" is a program of education or training that:

- 1) Admits, as regular students, only persons having a certificate of graduation from a secondary school (high school graduates), the recognized equivalent of that certificate (GED), or persons beyond the age of compulsory school attendance in the State of Colorado who have been shown to have the ability to benefit from the education or training offered.
- 2) Leads to a bachelor’s, associate, professional, or higher degree; or a) is at least a two-year program which is acceptable for full credit toward a bachelor’s degree; or b) is at least a one-year program leading to a certificate or degree that prepares a student for gainful employment in a recognized occupation; or c) is, for a proprietary institution or a postsecondary vocational institution, a program of at least six months duration (16 semester hours or trimester hours, or 24 quarter hours, or 600 clock hours) leading to a certificate or degree that prepares students for gainful employment in a recognized occupation.

At minimum, an institutional applicant must have successfully administered federal campus-based programs for at least two years, have the proper accreditation standards, and have submitted an application to the Commission. If the Commission approves the application, the institution will receive initial need-based grant funding.

III. STAFF ANALYSIS

Colorado Christian University is applying for participation in Colorado student financial aid programs for fiscal year 2008-2009. After review of the application material, DHE staff concludes that the Colorado Christian University meets the qualifying criteria for participation as follows in the chart below.

Institution	Type of Programs	Accreditation	Supporting Documentation
Colorado Christian University	Associate's, bachelor's, and master's degrees; certificate and licensing programs.	The Higher Learning Commission, a commission of the North Central Association of Colleges and Schools.	DHE is prepared to add approval of CCU's participation in the pilot semester upon the receipt of further documentation to show that compliance with the requirements of C.R.S. 23-3.3-101(3), including that CCU has: <ul style="list-style-type: none">• Administered federal financial aid programs for the two years under the current ownership; and• Participated in a federal audit of the financial aid operations and resolved any outstanding audit findings.

IV. STAFF RECOMMENDATION

Staff recommends that the Commission provisionally approve Colorado Christian University into the state financial aid program, making them eligible for a pilot grant (\$15,000) for fiscal year 2008-2009. Funding will be released once the audit materials are received to verify successful administration of federal financial aid.

V. STATUTORY AUTHORITY

23-3.3-102 C.R.S.

23-3.3-103 C.R.S.