

Appendix A

Institutional Eligibility from current CCHE policy:

4.00 Institutional Eligibility

4.01 Eligible Institutions

Institutions eligible for undergraduate financial aid must meet the requirements specified in 23-3.3-101 C.R.S., and include the following:

- State-supported two- and four-year institutions;
- State local district colleges;
- State area vocational/technical schools;
- Non-public (not-for-profit and proprietary) colleges, universities, and vocational schools. For these institutions, eligibility is legally tied to ownership. A change in ownership or control of a non-public institution terminates eligibility. The current owners must submit a new application.

Institutions eligible for graduate financial aid must meet the requirements specified in 23-3.3-101 C.R.S., and include the following:

- State-supported institutions offering graduate programs;
- Non-public colleges and universities offering graduate programs which have applied and been approved for participation by the Commission.

4.02 Application Process

The Commission accepts requests from institutions that wish to participate in state-funded financial aid programs each fall for the following fiscal year. To apply, the legal representative of the institution must submit an application (CCHE, C-3) and attach evidence documenting that the institution meets requirements of C.R.S. 23-3.3-101(3), including:

- Operated two years in Colorado under the current ownership;
- 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.

4.03 Maintenance of Eligibility

In order for an approved postsecondary education institution to maintain eligibility to administer state-funded student assistance programs to its students, the following minimum administrative standards must be met:

- Utilization of Colorado Student Aid funds consistent with policy;
- Timely and corrected submission of required reports to CDHE;
- Demonstration of compliance with policy guidelines set forth for administration of Colorado student aid funds;

- Performance of a financial audit every two years; and
- Resolution of audit concerns prior to the start of the following award year.

4.04 Verification of Lawful Presence

Colorado law requires state agencies and institutions of higher education to verify the lawful presence in the United States of all persons 18 years of age or older for receipt of public benefits, such as financial aid, by requiring the applicant to produce one of the following forms of identification:

- (1) Valid Colorado Driver's License or a Colorado Identification Card
- (2) U.S. Military Card or a Military Dependent's Identification Card
- (3) U.S. Coast Guard Merchant Mariner Card
- (4) Native American Tribal Document

An applicant also must execute an affidavit stating that he or she is a U.S. citizen or legal permanent resident; or that he or she is otherwise lawfully present in the U.S. pursuant to federal law. (C.R.S. §24-76.5-103(4)).

All applicants for state-funded financial aid must meet the identification requirements of C.R.S. §24-76.5-103(4) or the emergency rules promulgated by the Department of Revenue which shall expire on March 1, 2007. Institutions must satisfy the verification requirements of C.R.S. §24-76.5-103(4) in a manner consistent with statutory requirements, Attorney General Guidance and CCHE policy. CDHE shall audit institutions to ensure compliance.

An applicant may also meet the requirements of this statute for state-funded financial aid through any waivers granted by the Department of Revenue as provided for in the emergency rules promulgated by the Department of Revenue which shall expire on March 1, 2007.