

## SECTION VI

### PART C TUITION AND FEES

#### **1.00 General Description and Intent**

Tuition and fees, along with state support, provide financial resources to the institutions of higher education to conduct academic programs and to support a complete and comprehensive learning environment for students. Tuition and fees represent a portion of a student's cost of attendance and are used to provide goods and services to students.

Governing boards have the responsibility and authority for the financial management of their institutions. A major component of sound financial management is the setting of tuition and fees, including refund policies. Since institutions have unique roles and missions and differing student needs, governing boards must consider a number of factors when setting tuition and fees, and establishing a refund policy. The CCHE has responsibility to exercise oversight to ensure that educational quality and access for students are maintained consistent with the role and mission of each institution.

It is the intent of the Commission that the following will be considered when establishing tuition and fee rates:

- The setting of tuition and fee rates should be done in an open and transparent manner.
- Board approved institutional tuition and fee proposals should consider financial aid available from all sources for students with documented need and, consistent with the goals of S.B. 10-003, strive to maintain access and affordability for resident students.

## 1.50 Definition of Key Terms

- Academic Course: For purposes of this policy, includes all instruction, including, but not limited to: academic, vocational, occupational, technical, music, and physical education courses.
- Academic Facilities Construction: Includes buildings and site improvements, or specific space within a multi-use building (including utilities and transportation infrastructure) as defined in C.R.S. 24-75-301. The determination of whether it is an academic facility or space shall be determined based on the function/purpose of the building or space. Academic Facilities are those facilities that are core to the role and mission of the institution and may include, but not be limited to, space dedicated to instructional, student services, or administration. If a multi-purpose building, the space determination shall be based on the primary usage of the space during the regular academic year.
- Appropriated Fees: The General Assembly appropriates spending authority for Academic and Academic Facility fees that: 1) Support the educational mission of the institution, as opposed to an auxiliary function; 2) are generally under the control of the institution rather than the students; 3) are not optional for the particular course of study chosen by the student; and 4) are not penalties for failure to comply with reasonable rules and regulations.
- Auxiliary Facility: same meaning as defined in C.R.S. 23-5-101.5 (2) (a).
- Campus-wide Mandatory Student Fees: Minimum student fees for the academic year that are charged to all students regardless of class standing, courses selected, and/or program of study. Does not include fees which are optional or frequently waived.
- Fee: Any amount assessed to students by any institution of higher education, the revenues from which are used for academic or nonacademic purposes, provide benefit to students, and support the overall living and learning environment of a system or institution of higher education. Fees exclude items categorized as Other Assessments (Charges for Service or User Fees). Further descriptions of fee categories are outlined in section 3.04.
- Inflation - means the percentage change in the Consumer Price Index (CPI) for the Denver-Boulder consolidated metropolitan statistical area for all urban consumers, all goods, as published by the U.S. Department of Labor, Bureau of Labor Statistics, or its successor index. When calculating fee increases based on inflation, a governing board should use the inflation measure from the most recent completed calendar year (e.g., CY 2010 would be used to set fee rates for FY 2011-12).
- Institution of Higher Education - means any state-supported institution of higher education in Colorado and the Auraria Higher Education Center. For purposes of

this section, does not include local district junior colleges or the area vocational schools.

Long-Term Deposits: Non-damage related deposits that are held more than one academic term.

- Nonpermanent Student Purpose Fees - mandatory campus wide fees categorized as nonpermanent by the institutional plan for student fees that do not meet the definition of permanent student purpose fees. These fees have an expiration date after which they will not be charged.
- Permanent Student Purposes – Pursuant to C.R.S. 23-1-123 (7) (e), permanent student purpose means student centers, recreation facilities, parking lots, intercollegiate athletics, child care centers, campus health clinics, contract health services, student government, and similar facilities and services, and includes any general fee, the revenue from which is to be appropriated by student government for a specific purpose.
- Required Fees: Fees that must be paid by a student during an academic term, including campus wide mandatory fees and academic course, program, or department fees required for enrolled courses and program of study. May vary based on class standing, courses selected, and/or program of study. Does not include fees which are optional or frequently waived.

## **2.00 Tuition Policy**

2.01 Beginning in FY 2011-12 and continuing through FY 2015-16, governing boards shall have the authority to raise tuition rates for resident undergraduate students up to nine percent pursuant to the passage of S.B. 10-003. A governing board may receive additional authority to raise tuition rates for resident undergraduate students above nine percent through the Commission’s approval of a financial accountability plan. Tuition rates for nonresident students and resident graduate students are not subject to the provisions of S.B. 10-003.

Beyond FY 2016-17, tuition limitations will be subject to existing law and CCHE tuition and fee policy will be updated as needed.

2.02 Governing boards have the authority to set individual tuition rates and tuition rate increases as long as compliance with paragraph 2.01 is achieved. When appropriate, governing boards may request exceptions from paragraph 2.01 as part of the annual budget request cycle. The Department of Higher Education (DHE) may forward such exceptions as part of its budget recommendation to the Joint Budget Committee.

2.03 In times of emergency, certain students (e.g., reserve military units, individuals with specialized skills, or firefighters) are called to provide services to the country. When the call for service or national emergency is issued, it is often necessary for students

to interrupt their coursework in mid-semester without advance notice. Public two-year and four-year institutions' policies should explicitly recognize that normal refund and withdrawal policies may not be appropriate and make provisions for individuals who leave the institution mid-semester to respond to a state or national emergency, including:

- Institutions' tuition policies should permit reimbursement for tuition paid by reservists called to active status during times of national emergency.
- Institutions may offer these individuals the option of crediting the current term's tuition to a future semester's tuition charges.
- Institutions shall waive any fee for breaking the room and board contract for reservists who are called to active status during a national or state emergency.
- In addition, an institution shall refund any fees paid for room and board based on the date that the individual left the residence hall.
- Institutions shall adopt policy language that ensures that individuals who are unable to complete a course due to a call to active status under a state or national emergency have a choice either to withdraw from the course without a grade or receive an incomplete with an opportunity to complete the course work at a later time.
- The refund and grading policies should recognize that normal withdrawal procedures may not apply in this situation, e.g., withdrawal timetables.

2.04 Institutions will not be penalized financially by state support for interrupted enrollment and will be allowed to include in-state students who are called to active duty in the FTE report during the semester they are called to active duty.

### **3.00 Student Fee Policy**

C.R.S. 23-1-123 (3) tasks the Commission to “establish a policy concerning the minimum level of student involvement in assessing and setting the amount of fees and in determining the purposes for which institutions of higher education shall use the revenues obtained from fees.”

Student fees and the use of student fee revenues should provide benefit to students in line with the stated purpose of the fee through providing revenue to deliver student activities and programs, provide instruction materials and cover other instructional costs, deliver student services programs, and to make infrastructure and campus improvements. Student fees should be used to enhance and support the overall student experience. Student fees and the use of student fee revenue may benefit students both directly and indirectly. For example, capital construction timelines mean that some students may not benefit as directly from fees for capital improvements, but up-to-date facilities enhance and support the overall student experience and ultimately increase the value of the degree conferred. Likewise, a student may not take advantage of all the programs funded through specific fees, but these fees benefit the student body as a whole.

### 3.01 Governing Board Duties:

- 3.01.01 Each institution of higher education, including the Auraria Higher Education Center, shall give at least a thirty-day notice to students of any fee assessment or increase. At a minimum, such notice shall specify:
- The amount of the new fee or fee increase;
  - The reason for the fee assessment or increase;
  - The purpose for which the institution will use revenues received from the fee assessment or increase; and
  - Whether the fee assessment or increase is temporary or permanent and, if temporary, the repeal date for the fee assessment or increase.
- 3.01.02 Each governing board shall annually review and approve (or reapprove) all fees including: auxiliary fees and academic and instructional fees (including course, program, and department specific fees). Such fees will be charged to students only after the review and approval of the governing board.
- 3.01.03 Pursuant to C.R.S. 23-1-123 (5) (e) (I), student approval is not required for existing fees, new fees, or increases in fees, that cover actual administrative costs for a specific academic course, program, or department.
- 3.01.04 Pursuant to C.R.S. 23-1-123 (5) (e) (II), no new fee or fee increase (in excess of inflation) assessed to cover administrative costs not related to an academic course,

program, or department shall be collected unless approved by a student election and limited with an expiration date.

- 3.01.05 Each governing board shall establish appropriate levels of student input, in line with statutory requirements and that consider the unique student-body characteristics of their institutions, necessary to establish and set student fees and fee rates. The established level of student input for all fee categories shall be listed in the Institutional Plan for Student Fees as outlined in section 3.02.
- 3.01.06 For all Four-Year Institutions - The administration of each institution and the student government shall establish a fee policy for such institution. Such policy shall be subject to the modification and approval of the governing board of the institution, in accordance with the requirements of the Institutional Plan for Student Fees as outlined in section 3.02.
- 3.01.07 For all Community Colleges - The State Board for Community Colleges and Occupational Education shall meet with the Student Advisory Council, established in C.R.S. 23-60-104, to establish a fee policy for all institutions under its control. Such policy shall be subject to the modification and approval of the board, in accordance with the requirements of the Institutional Plan for Student Fees as outlined in section 3.02.
- 3.01.08 For Institutions Located at the Auraria Campus - The administration of the Auraria Higher Education Center and the Student Advisory Council to the Auraria Board (SACAB) shall establish a fee policy for the institutions located at the Auraria Campus. Such policy shall be for all fees assessed by the Auraria Higher Education Center and is in addition to the policy each institution will have with its respective governing board. The policy shall be consistent with the requirements of section 3.06 and C.R.S. 23-70-107 relating to student fees assessed by the Auraria Board. Such policy shall be subject to the modification and approval of the board, in accordance with the requirements of the Institutional Plan for Student Fees as outlined in section 3.02.
- 3.01.09 Pursuant to C.R.S. 23-1-123 (5) (h), No new fee, fee increase, or fee extension that is defeated by a vote of the student body may be resubmitted for a student vote until the following regularly scheduled election.

### 3.02 Institutional Plan for Student Fees:

All fees, as categorized in section 3.04, are subject to the requirements of section 3.02. (This excludes fees categorized as other assessments.) A current and accurate copy of each institution's Institutional Plan for Student Fees and any revisions to the plan must be filed with DHE by September 1<sup>st</sup> of each year with the Tuition and Fee Survey outlined in section 5.00.

Institutional Plans for Student Fees are to contain broad information, guidance, policies, and procedures with regards to all fees assessed at the institution. Each

Institutional Plan for Student Fees shall include, but not be limited to, the following components:

- Defining the student fee proposal and approval process. Absent any autonomy agreement already in place, such process includes the opportunity for the students and institutional student government representatives to address the governing board during board discussion and action of the student fee proposal.
- Defining and categorizing all student fees based on the categories outlined in section 3.04. Establishing procedures for student participation in establishing and setting student fees and fee rates at the institution for the categories outlined in section 3.04.
- Establishing a complaint resolution process for disputes on student fee proposals or any issues relating to student fees.
- Including a time frame of the budget approval and board action of the tuition and fees action.
- Specifying whether to allow for the use of student fees or tuition for academic facilities construction. Use of tuition or fees would be allowed only under the following conditions, including:
  - All other financing options have been explored;
  - Students approved the use of funds through a student vote or referendum or student government approval (to be specified in the Plan). Note: Only the use of a student fee for academic facilities construction must be approved by vote or referendum or by student government. Institutions may use tuition for the construction or renovation of academic facilities without approval through a student vote or referendum, provided that, at a minimum, the institution has explored all other financing options, has presented their proposed use of tuition revenues at a public meeting, and has informed students which capital projects will be funded with tuition revenues;
  - Any referendum relating to the use of fees under this section is initiated by the student government; and
- Establishing procedures for any student vote or referendum relating to student fees including:
  - Full disclosure of information relating to the referendum.
  - Agreements on distribution of unbiased, factual information regarding the referendum.
  - Restrictions on campaigning by the institution and student government.

- Listing and describing any administrative costs charged to students or student groups for the administration of the student fee. These costs may vary by type or category of fee.
- Establishing procedures for the institutional review of fee fund balances. The institution shall determine the threshold at which such reviews are required and may utilize different thresholds for different fee categories.
- Establishing a clear and transparent process for the regular review and evaluation of: fee rate assessments, fee expenditures, and institution fee policies. The institution may determine whether such reviews are to be conducted by institutional administration, independent internal entities (e.g., departments and offices review each other), or independent, external entities. The processes may vary by type or category of fee.

Institutions may, at their discretion, create individual fee guides which adhere to the Institutional Plan for Student Fees and provide additional specific detail on the use and administration of individual fees. These fee guides are not required through Commission policy. If created, these fee guides should be available upon request.

### 3.03 Billing Requirements:

Each institution of higher education shall separately disclose the fees charged to the students by their respective governing board for the institution, by the institution, or by any auxiliary facility associated with the institution in its student billing statements.

- This requirement shall apply to fees, the purpose of which is to cover any administrative costs; permanent student purpose fees; and nonpermanent student purpose fees.
- Such itemization shall not be required for any academic and instructional fee that is specifically listed in the course catalogue.
- Such itemization shall not be required for the detailed allocations of general student fees. However, such itemization may include an itemization of other general student fees.
- If a governing board uses revenues from a general student fee for the repayment of bonds or other debt obligations, the governing board shall specify the portion of the general student fee that is actually applied to repayment of the bonds or other debt obligations.

3.03.01 Each institution shall have information available to students and the general public containing a description of all fees, including the purposes for which the institution uses revenues from the fees.

3.03.02 Every fee assessed to cover administrative costs and academic and instructional fees shall be separately itemized on the student billing statement; except for any academic and instructional fee that is specifically listed in the course catalogue. Every student purpose fee, whether or not permanent, shall be separately itemized on the student billing statement.

3.03.03 Each billing statement shall conspicuously identify any optional fees or charges that are automatically assessed unless the student chooses not to pay the fee through a negative check off.

- A form to elect not to pay the optional fees shall accompany the billing statements.

Any optional fees or charges that are automatically assessed unless the student chooses not to pay, except for health care fees, shall be refunded by the institution or organization that receives the fee, upon request, to any student who paid the fee. The refund shall be available during the entire semester in which the student paid the fee.

3.04 Fee Categories:

3.04.01 Academic and Instructional Fees

- Course Specific Fees: Fee assessed by an institution to all students who enroll in a specific course (e.g., an introductory engineering course). The revenue generated from this charge should be used to pay for costs related to the specific course. These fees are required for students who enroll in the specific course and require legislative long bill spending authority.
  - Online Course Fees: Fee assessed by an institution to all students enrolled in an online course. The revenue generated from this charge should be used to pay for costs related to the online delivery of the course. These fees are required for students who enroll in the specific course and require legislative long bill spending authority.
- Program Specific Fees: Fee assessed by an institution to all students who enroll in a particular instructional program (e.g., the mechanical engineering program). The revenue generated by this charge should be used to pay for costs related to the specific instructional program. These fees are required for students who enroll in the specific program and require legislative long bill spending authority.
- Department Fees: Fee assessed by an institution to all students who enroll in a particular department (e.g., the engineering department) within the institution. The revenue generated by this charge should be used to pay for costs related to the specific department. These fees are required for students who enroll in the specific department and require legislative long bill spending authority.

- 3.04.02 Mandatory Insurance Fees: Fee charged for health, dental, professional liability, or disability insurance based upon the nature of an instructional program. These fees do not require legislative long bill spending authority.
- 3.04.03 Academic Facility Fees: Campus-wide mandatory fee paid by all students on campus for the purpose of constructing new institutional facilities, and/or renovating, expanding, and maintaining existing institutional facilities that are core to the role and mission of the institution. These fees require legislative long bill spending authority and are referred to as Academic Facility Fees in the long bill.
- 3.04.04 Technology Fees: Campus-wide mandatory fee paid by all students on campus for the purpose of providing or purchasing equipment or programmatic activities relating to computer equipment, computer laboratory equipment, or other technology. These fees require legislative long bill spending authority.
- 3.04.05 Auxiliary Fees: These fees do not require legislative long bill spending authority.
- Health Service Fees: Any fee assessed against students by any institution of higher education, the revenues from which are used for the establishment and operation of campus health clinics or contract health services.
  - Auxiliary Facility Fees: Fee assessed by an institution of higher education to pay for the construction, expansion, renovation, maintenance, operation, and/or lease of auxiliary facilities/areas. Auxiliary operations are defined as self-supporting, and may include, but are not limited to, residence halls, food service, intercollegiate athletics, college stores, parking, student centers, recreational facilities, child care centers, and continuing education.
  - Student Facilities and Operations Fees: Any fee assessed against students by any institution of higher education, the revenues from which are used for, but not limited to, the following: construction, maintenance, operations, and/or lease of auxiliary facilities/areas used as student centers, recreational facilities, parking lots, or child care centers, or for the payment of bonds issued for principal or interest payments on long-term debt for student facilities.
  - Auxiliary Debt Fees: Any fee assessed against students by any institution of higher education, the revenues from which are used for the payment of bonds issued for principal or interest payments on long-term debt for auxiliary facilities.
  - Intercollegiate Athletics or Intramural Club Athletics Fees: Any fee assessed against students by any institution of higher education, the revenues from which are used to, but not limited to, support for intercollegiate or intramural club athletic activities or for payment of bonds issued for the principal and interest payments on the long-term debt of any facility used for intercollegiate athletics and/or intramural club athletics.

- Student Government/Student Activities Fees: Any fee assessed against students by any institution of higher education, the revenues from which are used, but not limited to, payment of direct and indirect operating expenses of student government, support for student programs such as cultural or social events, off-campus housing assistance, student clubs, student organizations, and student fees. Student government or elected student leaders typically have a role in how these fees are assessed and utilized.

#### 3.04.06 Administrative Fees

- Any campus-wide mandatory fee assessed against students by any institution of higher education, the revenues from which are used to, but not limited to, provide administrative services or to cover administrative costs. Standard registration fees that all students are required to pay are considered administrative fees pursuant to C.R.S. 23-1-123 (7) (b) (VII). Does not include late registration fees or add/drop fees which are classified as Charges for Service. Pursuant to C.R.S. 23-1-123 (5) (e) (II), no new administrative fee or fee increase (in excess of inflation) shall be collected unless approved by a student election.

#### 3.05 Other Assessments

- Charge for Service: A charge to cover the costs of delivering specific services. Charges for service are not campus-wide, nor mandatory for all students. Charges for service are, however, required for students who meet the criteria for which the charge is being assessed. These may include, but are not limited to: application fees, add/drop fees, fines and penalties, late fees, orientation fees, and matriculation fees. Charges for service do not require legislative spending authority appropriation and do not require student approval.
- User Fee: A fee to exercise a privilege or receive a service provided by an auxiliary facility, including but not limited to room and board charges, parking fees, space rental, meal plans, locker rentals, recreation center usage fees. User fees do not include any general fee charged to all students, any fee paid for continuing education facilities or activities, or any fee paid to purchase a ticket to an athletic event occurring at an institution of higher education. User fees do not require legislative spending authority appropriation and do not require student approval.

#### 3.06 Fees Related to Bonds Issued on Behalf of Auxiliary Facilities

All governing boards shall follow the procedures outlined in statute regarding fees related to bonds issued on behalf of auxiliary facilities. Procedures for fees related to bonds issued on behalf of auxiliary facilities are outlined in C.R.S. 23-1-123 (5) (a) and (b)..

### 3.07 Fees for Nonpermanent Student Purposes

No new fee or fee increase (in excess of inflation) assessed for nonpermanent student purposes shall be collected unless approved by a student election and such new fee or increase contains an expiration date.

### 4.00 Use of Tuition and Fees for Academic Facilities Construction

Student fees or tuition may be used for academic facilities construction if approved for use in the institutional plan for student fees as outlined in section 3.02.

### 5.00 Reporting Requirements

5.01 By September 1 of each year, each governing board is required to submit to the DHE a report detailing:

- Tuition rates by credit hour for all differentials assessed to undergraduate, graduate, and professional degree and non-degree seeking students.
- Fee rates by credit hour for all fees under sections 3.05 assessed to undergraduate, graduate, and professional degree and non-degree seeking students.
- Other costs assessed under section 3.06 assessed to undergraduate, graduate, and professional degree and non-degree seeking students.
- Current and accurate copies of all Institutional Plans for Student Fees.
- Reporting and explanation of any changes in current mandatory student fee rates and all new mandatory student fees. Date of governing board review and approval.
- Other information as may be announced or required by the DHE.

### 5.02 Tuition and Fee Report

By December 15 of each year, the DHE will submit to the Commission for approval and distribution to the General Assembly a report summarizing:

- Tuition decisions made by each Governing Board and their consistency with Commission policy and legislative intent.
- Fee decisions made by each Governing Board and their consistency with Commission policy and legislative intent.
- Significant changes or trends in tuition and fees throughout the state.

### 6.00 Tuition and Fee Appropriation Over-Expenditure

Anytime a governing board goes over its appropriation for tuition and fees set by the

General Assembly in the long bill, the Department of Higher Education will review the reasons for the increase in revenue, ensuring that tuition and fee policies have been followed, and determine if a supplemental appropriation for spending authority should be requested. Governing boards will notify the Department of any projected over-expenditure in tuition and fees following the deadlines established in the budget calendar. If the over-expenditure is due to increases in enrollment the governing board may utilize the Enrollment/Tuition and Stipend Contingency line from the annual long bill.

Pursuant to S.B. 10-003, from FY 2011-12 through FY 2015-16, tuition spending authority is not appropriated. For this time period, this paragraph 6.00 applies to appropriated fees only.