

## SECTION VI

### PART D

### RECIPROCAL TUITION AGREEMENTS

#### **1.00 General Description**

The Commission is authorized to establish agreements with other states for purposes of waiving non-residential tuition rates for students from those states in exchange for those states waiving the non-residential rate for Colorado residents:

23-1-112. Tuition - reciprocal agreements. Except as provided in section 23-1-108 (10), the commission shall identify those circumstances where the waiving of the nonresident differential in tuition rates, on a reciprocal basis with other states, would enhance educational opportunities for Colorado residents. Relative to such identified circumstances, the commission shall negotiate with the other states involved with the objective of establishing reciprocal agreements for the waiving of the nonresidential differential for Colorado residents attending state institutions of higher education in other states in exchange for Colorado state institutions of higher education waiving the nonresident differential for residents of the other states. Agreements negotiated between Colorado and other states shall provide for an equal number of resident and nonresident students to be exchanged between the states. Upon successful completion of such negotiations, the commission may identify the number of Colorado residents by grade level whose educational opportunities would be enhanced and the numbers of nonresident students by grade level for whom the nonresident differential is to be waived by the Colorado state institutions of higher education and may direct that the state institutions of higher education grant such waivers. The commission shall establish regulations for the administration of this section, based on the application of the closest college concept, and for the reporting to the general assembly of the number of students to whom the waivers are given.

Rules for negotiation and operation of such reciprocity programs were adopted by the Commission in July 1984 and modified in May 1999. These rules can be found in Section 2.00 of this Part.

#### **2.1 Rules for the Colorado Student Exchange Program**

##### **I. Statement of Basis and Purpose**

The Colorado Student Exchange Program (program) is authorized by 23-1-112.5, C.R.S. That statute directs the Colorado Commission on Higher Education to:

1. Identify circumstances where waiving the non-resident tuition differential on a reciprocal basis with other contiguous states would enhance educational opportunities for Coloradans;
2. Negotiate reciprocal agreements with contiguous states for waiving non-resident tuition differentials;
3. Identify the number of students to be exchanged;
4. Establish regulations for the program based on the closest college concept;
5. Direct Colorado state institutions to grant waivers;
6. Report to the General Assembly the number of students exchanged.

After proper public notice of the hearing held on July 6, 1984, and consideration of the written and oral testimony, the Commission has determined that educational opportunity for Colorado residents will be enhanced if residents are able to attend designated institutions located in contiguous states with a waiver of the non-resident tuition differential in accordance with these rules. In turn, residents of contiguous states with which Colorado has negotiated an agreement are to be able to attend designated Colorado institutions with a waiver of the nonresident tuition differential.

## II. Definitions

**Reciprocal Agreement:** An agreement between the State of Colorado and a continuous state to waive non-resident tuition charges for a specified number of residents from each state.

**Designated Institutions:** Those postsecondary education institutions identified in the reciprocal agreement negotiated with the contiguous state.

**Contiguous states:** Contiguous states shall be defined as New Mexico, Arizona, Utah, Wyoming, Nebraska, and Oklahoma.

**Closest College Concept:** The postsecondary education institution that is located the shortest distance by passable road from the student's place of residence and that offers the program desired by the student.

**Student Exchange Program:** The program established by 23-1-112.5, C.R.S. and these rules.

Full-Time Equivalent (FTE): A full-year, full-time equivalent student is 45-quarter or 30-semester student credit hours during the academic year and preceding summer.

III. Number of Students to be Supported

The Colorado Commission on Higher Education and the appropriate agency in the contiguous state shall agree upon a maximum number of full-time equivalent (FTE) students to be exchanged under the program. The reciprocal agreement shall specify the maximum number.

The reciprocity agreements developed under these policies assume a balance between the number of incoming and outgoing students. If a student exchange imbalance occurs which is greater than 5 percent of the agreed upon maximum number, Commission staff will initiate a review of the imbalance.

IV. Designated Institutions and Distribution of FTE Authorization

The Commission will designate, in each reciprocity agreement, those Institutions of higher education in Colorado eligible to receive students Under the terms of that agreement.

The Commission, annually, will determine the quota of FTE reciprocity students for each Colorado institution designated in the agreement. Recommendations will be submitted to the Commission by its staff, following consultation with the designated institutions.

Colorado institutions are requested to release FTE to the Commission staff, upon realization that the institutional FTE allocation will not be fully utilized by the end of the fiscal year. This should be done no later than May 1 to allow the unused FTEs to be reassigned to another designated institution.

V. Student Eligibility Requirements

A. Colorado residents seeking to participate in the student exchange program must:

1. Meet the requirements for in-state tuition status as set forth in 23-7-102, C.R.S.
2. Be enrolled or have applied to enroll at a designated institution in a certificate, associate, baccalaureate, or graduate degree program with the declared intent of obtaining that degree or certificate;

3. Be in good academic standing (i.e., not on probation or suspension status) according to the published policies of the designated institution.
- B. Residents from contiguous states with which Colorado has a reciprocal agreement must:
1. Be eligible for in-state tuition in the contiguous state;
  2. Be enrolled or have applied to enroll at a Colorado designated institution in a certificate, associate, baccalaureate, or graduate degree program;
  3. Be eligible based on closest college concept as defined by the appropriate agency within the contiguous state.
  4. Meet such other criteria as may be established by the appropriate agency in the contiguous state.

## VI. Selection Criteria

- A. Colorado students must meet requirements specified in rules and shall be selected by the following criteria:
1. Students wishing to attend the college closest to their home that has a program in which the student is interested shall have first priority if Colorado has a reciprocal agreement with the state in which the college is located, and that college is a designated institution.
  2. Second priority shall be given to students who have previously enrolled at a designated institution in a state with which Colorado has a reciprocal agreement, and who apply for participation on or before a deadline established and published by the college;
  3. All other applicants shall be selected on a first-come, first-served basis. Students shall be selected according to the date on which they provide the designated institution with the information required in section IV A of these rules.
- B. If more than the maximum number of students from contiguous states seek to participate in the program, the criteria for selection shall be as set forth by the appropriate agency of the contiguous state and specified in the reciprocal agreement with that state.

## VII. Application Procedures

- A. Colorado residents seeking to participate in the student exchange program shall apply according to procedures established by the designated institution. The student must meet the regular admissions and enrollment requirements published by the designated institution. Students who are denied participation on the basis of criteria specified in Section IV A of these rules may appeal that decision. A campus official appointed by the school's chief executive officer shall review the matter in consultation with the Executive Director, or official designee, of the Colorado Commission on Higher Education. Their decision shall be final.
- B. Residents from contiguous states with which Colorado has negotiated a reciprocal agreement shall apply according to procedures established by the designated institution in Colorado. The student must meet the regular admissions and enrollment requirements published by the designated institution and such other eligibility requirements as are set forth by the appropriate agency of the contiguous state and specified in the reciprocal agreement. If a student is denied participation, any appeal must be made according to procedures established by the contiguous state.

## VIII. Responsibilities of Students

- A. Students are required to inform the designated institution of their desire to participate in the student exchange program prior to registration for each academic period.
- B. Students are required to provide complete and accurate information needed to document their eligibility for the program.
- C. Students are required to maintain good academic standing as defined by the designated institution.
- D. Colorado students are required to inform a specified official at the designated institution of any change of address or other changes that might affect their eligibility for participation in the following term.

## IX. Responsibilities of the Colorado Commission on Higher Education

- A. The Commission shall annually review the program and reach agreements with the contiguous states on necessary modifications.

- B. The Commission shall receive reports from Colorado designated institutions certifying the number and eligibility of students participating in the program.
- C. The Commission shall report to the General Assembly on or before July 15 the number of students participating in the program in the prior year.

HISTORY: CCHE Agenda Item III, A – October 7, 1999