



COLORADO

Colorado Commission on Higher Education

Department of Higher Education

CCHE AGENDA

December 3, 2020

**Colorado Department of Higher Education
ZOOM Video Conference**

<https://us02web.zoom.us/j/86560141669>

**BUSINESS MEETING
1:00pm – 4:30pm**

1600 Broadway, Suite 2200 • Denver, Colorado 80202 • (303) 862.3001

DR. ANGIE PACCIONE, EXECUTIVE DIRECTOR



COLORADO

Colorado Commission on
Higher Education

Department of Higher Education

Tom McGimpsey, Chair
Vanecia Kerr, Vice-Chair
Paul Berrick Abramson
Luis Colón
Sarah Kendall Hughes
Teresa Kostenbauer
Steven Meyer
Charlotte Olena
Brittany Stich
Steven Trujillo
Eric Tucker

Colorado Commission on Higher Education

December 3, 2020

Colorado Department of Higher Education

ZOOM Teleconference Only

Denver, Colorado

11:30am -1:00pm

COMMISSIONER & ADVISOR WORK SESSION

2020 Work Plan, continued discussion - *Sara Hughes, Facilitator*

1:00 – 4:00pm

BUSINESS MEETING

I. Opening Business

- A. Attendance
- B. Approval of the Minutes for the October 22, 2020 Commission Meeting
- C. Election of Vice Chair
- D. Reports
 - i. Chair
 - ii. Vice-Chair
 - iii. Commissioners
 - iv. Commission Standing Committees
 - v. Advisors
- E. Executive Director Report
- F. Public Comment

II. Consent Item

- A. Degree Authorization Act – ECPI University – Recommendation of Approval for Renewal of Authorization as a Place of Business – *Heather DeLange*
- B. Approval of Supplemental for Adjusted NWC Certificate of Participation Payment Schedule - *Lauren Gilliland*
- C. Degree Authorization Act – Capella University – Recommendation of Approval for Authorization as a Place of Business (with no instruction) – *Heather DeLange*



D. Recommend Approval of Reauthorization of Educator Preparation Programs at Metropolitan State University of Denver – *Dr. Brittany Lane*

E. Proposed Revisions to CCHE Policy VI F State-Funded Student Financial Aid to include CASFA and HB 19-1196 processes- *Emily Orr*

III. Action Items

A. Proposed Changes to CCHE Policy I, L: Statewide Transfer and GT Pathways Policy – *Dr. Chris Rasmussen*

IV. Discussion Items

A. Degree Authorization Act – Proposed Additions to CCHE Policy Section I, Part J, Regarding State Authorization Reciprocity – *Heather DeLange*

B. Proposed Resolution to Extend Implementation Deadline for HB19-1206 Due to Exceptional Circumstances – *Dr. Chris Rasmussen*

C. Open Education Resources Notification Implementation Guidelines- *Spencer Ellis*

V. Commission Initiatives

A. Equity Champions Coalition Equity Report – *Shelley Banker*

B. 2021 Legislative Session - Budget & Legislative Agenda – *Jason Schrock and Chloe Figg.*





Minutes of the Colorado Commission on Higher Education (CCHE) Meeting
Via ZOOM Teleconference
October 22, 2020

BUSINESS MEETING

Vice Chair Vanecia Kerr called the business meeting to order at 1:00p.m.

I. Opening Business

A. Attendance

Commissioners attending: Vice Chair Kerr, Commissioners Colon, Hughes, Kostenbauer, Olena, Stich, Trujillo, Tucker.

Advisors attending: Rep. Kipp, Rep. McCluskie, Wayne Artis, Mark Cavanaugh, Brad Baca, David Olguin, Landon Pirius, Leah Porter, Misti Ruthven

B. Minutes

Commissioner Tucker moved to approve the minutes for the September 3, 2020 meeting. Seconded by Commissioner Olena, the motion passed unanimously.

C. Chair, Vice-Chair, Commissioners and Advisors Reports

Fiscal Affairs & Audit Committee – Commissioner Tucker reported that the committee met on October 16th. The discussion focused on the student budget parameters and the funding allocation formula, both of which are action items on today's agenda.

Student Success & Academic Affairs Committee – Commissioner Stich reported that the committee met two weeks ago and will meet again two weeks prior to CCHE meeting. She encouraged new commissioners to join the committee. The MSU Denver reauthorization brief was discussed as well as upcoming ed prep revisions. The committee also discussed the authorization request for Arizona College of Nursing and the innovation policy that will be presented to the commission at today's meeting. The committee is in full support of this agenda item.



Student Advisor David Olguin - Student's mental health is the most detrimental problem universities are facing. There is election anxiety, academic anxiety, isolation anxiety, COVID anxiety and for some students, seasonal anxiety. We know that things are only going to get worse once the election concludes and we need to make sure we are taking care of our students. This problem goes beyond planning university-wide events and having student game nights.

- Daniel (CU DENVER SGA President) met with the CU Government Relations staff and requested to lobby on behalf of mental health funding and/or availability to students.
- CU Denver is developing an advocacy day at the capitol and will share this model with CSGC and YAC to drive civil engagement.
- CSGC has noted that the same COVID issues are persisting; equity, access to wi-fi and computers, quality of education, privacy concerns surrounding virtual instruction as well as online test proctoring with access to cameras and microphones.
- CSGC will be seeking sponsors for a bill to add CSGC to Colorado State statute. The purpose is to become an advisory council similar to SSAC and potentially connected to CDHE.
- Several members have joined the National Coalition of Student Leaders.

Colorado Elections Youth Advisory Committee

This committee advises and makes recommendations to the SOS and Colorado Elections Division on youth voter administration, programs and policies, and to build sustainable long-term infrastructure for youth voting and civic engagement.

- **Website:** www.COYouthVote.org The website is the primary election project designed to promote nonpartisan materials and events from other organizations.
- **Post-Election Events:** Will focus on policy and community building opportunities.
- Seeking a relationship with CDHE to help strengthen relationships with IHE executives.

Equity Champions Coalition

- ECC is formalizing our recommendations report in November.
- We have 4 working groups driving the DEI work. This includes input from Colorado's equity leaders and student's statewide administrations.

Executive Director Report – Dr. Paccione recognized Chair McGimpsey for his contributions to the commission over the years and congratulated him on his professional career promotion. He will be unable to continue as Chair and Vice Chair Kerr has graciously agreed to fulfill the Chair role for the remainder of this term. She welcomed Dr. Rasmussen's Public Policy in Higher Education class from DU to the meeting. She recognized that eight of the students are part of a cohort from Colorado Mountain College pursuing an EDD from DU through a partnership with CMC. She encouraged more of these partnerships across the



state. The department hosted the third annual Free Application Day to great success. Despite the pandemic, nearly 10,000 more applications were received this year compared to last year. On the 17th, the Department released the Pathway to Affordability Annual Report on Concurrent Enrollment, and we are thankful to our friends at CDE for collaborating with us. COSI launched the Colorado Student Relief Fund. The source is GEER funds – the Governor’s emergency education relief funds – which is part of the federal CARES Act. This was \$1 million designated RFP to which institutions could apply to distribute to students who were not eligible for the CARES act funds. On October 1st, we unveiled CASFA, the Colorado version of FAFSA. This is the Colorado application for state financial aid. Legislators passed a bill a few years ago that clarified that our DACA students could qualify for in-state tuition and now for in-state state financial aid as well, so this is the application for that aid. The Department is working on the equity, diversity and inclusion reporting template. The Governor issued an Executive Order on equity and diversity and inclusion that pertains to state employees. The Department is obligated to complete a reporting template.

- D. Public Comment** –Marley Weaver-Gabel, Rocky Mountain Policy Fellow at Young Invincibles spoke to the commission. The tragedy of chronically underfunded higher education has a waterfall effect. When funding is cut from the federal government it falls on the state. When state funding is cut, universities must increase tuition rates placing a heavy burden on the shoulders of Colorado students. The funding formula will not and cannot be truly equitable until there is a base funding adjustment that uplifts our institutions with historically low funding and prioritizes students that need and deserve adequate and just resources to be educated. More direct action is needed which will come from a base adjustment that takes into consideration the students that are served and the other funding channels for each institution. We need change that will work now to make our higher education system more equitable. She asked the commission to take bold, courageous steps to create a base funding adjustment plan that will satisfy the master plan goals, and fund institutions more equitably and ultimately deliver upon the commitment to educate all of the diverse students in Colorado.

II. Consent Items

- A. Recommend Approval of Two-Year Cash List for Colorado Mesa University -- *Lauren Gilliland*
- B. Recommendation for Renewal of Full Authorization for Aspen University – *Heather DeLange*
- C. Approve Program Plans and Waivers for FY 2021-22 Requested Capital Projects -- *Lauren Gilliland*

Commissioner Kostenbauer moved to approve Consent Items A - C. The motion was seconded by Commissioner Colon and passed unanimously.



III. Action Items

A. Student Budget Parameters – Fiscal Year 2021 – *Emily Orr, Emma Fedorchuk*

Emma Fedorchuk, Budget and Finance Analyst, presented the proposed 2021-22 student budget parameters, used by institutions to establish cost of attendance for students. A student's cost of attendance determines the amount of need-based financial aid for which they may be eligible. Ms. Fedorchuk explained that there were no significant changes to the methodology, with the exception of a decrease to the upper limit of the books and supplies budget. This portion of the budget was decreased to reflect the ability for students to save on textbook costs through online sources, open educational resources, and other methods.

B. Funding Allocation Formula and November 2 Budget Request – *Jason Schrock, Emily Orr, and Emma Fedorchuk*

Jason Schrock, Chief Financial Officer, provided an overview of the Commission's authority to approve a series of funding allocation scenarios to be used in the Governor's November 1 Budget submission. He then reviewed the formula approach that had been previously approved by the Fiscal Affairs and Audit subcommittee which utilizes Step Two the HB 20-1366 formula to allocate the entire higher education operating appropriation, and encourages additional investment in higher education. Emily Orr, Budget Director, discussed two formula scenarios that contemplated a 10% reduction and flat funding relative to FY 20, with all dollars flowing through Step Two of the formula. Dr Paccione reiterated that all scenarios being discussed were pre-decisional as the actual budget request would not be public until November 2, 2020. Ms. Orr then described formula scenarios that incorporate and acknowledge the core minimum cost increases that institutions experience using Step Two of the formula. Ms. Orr described a "top down" or "bottom up" approach by which core minimum costs could be utilized in Step Two of the formula. The top down approach uses the statewide core minimum cost increase total as the starting point and distributes that amount through the metrics in Step Two, whereas the bottom up approach uses the individual governing board allocations generated as a result of the Step Two metrics to ensure that each individual governing board has their core minimum cost increase met. Ms. Orr went on to explain that this top down/bottom up approach was only using the FY 2022 core minimum cost increases and that if the FY2021 core minimum cost increases were also to be acknowledged, an even greater amount of General Fund would be needed to either carry out the top down or bottom up approach. Commissioner Colon asked if institutions had provided any feedback to which Mr. Schrock answered that the spreadsheets had been shared with institutions, but no feedback had been received due to the very short timeframe in which the formulas were developed. Advisors Baca and Cavanaugh and Commissioner Tucker also asked clarifying questions. Mr. Schrock went on to describe the assumptions that should be taken into consideration when balancing institutions' core minimum cost increases with tuition. Historically



there has been a cap on the percentage increase to undergraduate resident tuition. Although the Governor's budget request is confidential until November 2, Mr. Schrock alerted the Commission that there would be a cap on resident undergraduate tuition rate increases and that the Governor's office had expressed a desire for the Commission to serve a role in an appeal process so that institutions could seek to increase their resident undergraduate rate beyond the cap. Mr. Schrock referenced the agenda item summary and listed criteria the Commission could consider in an institutional appeal to increase tuition above the cap. Commissioner Hughes asked about the possibility of multi-year approach to tuition rate setting which sparked a conversation about the link between General Fund investment and tuition rate setting.

IV. Discussion Items

A. Proposed CCHE Policy Section VII: Policy Innovation – *Dr. Kim Poast*

Dr. Kim Poast, Chief Student Success & Academic Affairs Officer, introduced a policy designed to encourage innovation by enabling institutions to apply for time-limited exemptions from selected CCHE policies. Commissioner Hughes moved to change the item to Action. The motion was seconded by Commissioner Tucker and passed unanimously. Commissioner Stich moved to approve the proposed policy. Seconded by Commissioner Hughes, it passed unanimously.

B. Reauthorization of Educator Preparation Programs at Metropolitan State University of Denver – *Dr. Brittany Lane*

Dr. Brittany Lane, Director of Educator Preparation, discussed the reauthorization status of Metropolitan State University of Denver (MSUD). The reauthorization of educator preparation programs is conducted in tandem with the Colorado Department of Education (CDE). The State Board of Education approves the program content based on the recommendations of CDE staff and then forwards that approval to CDHE for consideration in the final approval of a program for the remainder of the statutorily required performance-based measures under C.R.S. 23-1-121 (2) (a-f). CDHE staff then forward its recommendation to the CCHE for 1) Reauthorization, 2) Probation (a status under which the IHE cannot admit new students), or 3) Termination. S.B. 20-158 was passed in June 2020 which grants the Department the additional outcome of conditional reauthorization, a determination that will allow IHE's to be re-reviewed after one year during which the IHE will remedy specific areas for improvement.

Dr. Lane explained that the Department has engaged CDE and the reauthorization subcommittee of the Colorado Council of Deans of Education to re-write the educator preparation policy to include, among other things, the conditional



reauthorization status option. That work is currently being conducted and a draft will be brought forward for Commissioners' review shortly.

CDE – which does have such authorization – has placed MSUD on conditional reauthorization pending changes to the reading content in two of MSUD's programs: elementary education and early childhood education. Commissioners Stich and Hughes discussed that based on staff feedback and further discussion during the SSAA committee meeting, it is appropriate to approve the reauthorization of the educator preparation unit and educator preparation programs at MSUD with the note that should the State Board of Education rescind authorization following the March 2021 site visit, the CCHE authorization will be rescinded and reviewed at that time.

C. Proposed Changes to CCHE Policy I, L: Statewide Transfer and GT Pathways Policy – *Dr. Chris Rasmussen*

Dr. Chris Rasmussen, Senior Director of Academic Pathways and Innovation, introduced proposed policy changes to codify that GT Pathways is a lower-division general education curriculum (designed to be completed in the first two years of study), and that all courses added to GT Pathways database are to be 100/1000 level or 200/2000 level. The exception is GT-CO3 courses (Advanced Written Communication), many of which are listed at the 300/3000 level. The codification was requested by the General Education Council and designed to resolve an issue that has been brought to the Council occasionally over the years.

D. Annual Report on Concurrent Enrollment in Colorado, *Michael Vente*

Michael Vente, Senior Director of Research and Data Governance, provided Concurrent Enrollment numbers for Academic Year 2018-2019. The updated numbers are included in CDHE's annual report on Concurrent Enrollment, a joint report between the Colorado Department of Higher Education (CDHE) and the Colorado Department of Education (CDE). Mr. Vente shared several highlights from the report, including statewide increases in Concurrent Enrollment and ASCENT participation especially for minority students. Additionally, through Concurrent Enrollment and ASCENT programs, over 3,000 students earned some type of postsecondary credential in 2018-2019 while still in high school. Mr. Vente said CDHE continues to address barriers districts experience in offering Concurrent Enrollment and working to ensure universal student access to Concurrent Enrollment programs. Mr. Vente also outlined research projects related to Concurrent Enrollment, including results from CDHE's research funded by the U.S. Department of Education's Institute of Education Sciences and the Colorado Evaluation and Action Lab. The results showed impressive postsecondary and workforce outcomes for Concurrent Enrollment students.



E. Recommendation of Provisional Authorization for Arizona College of Nursing

Heather DeLange, Director for the Office of Private Postsecondary Education, provided the background for the Arizona College of Nursing proposal to establish two Colorado campuses: Denver in October 2021 and Colorado Springs in October 2022.

Ms. DeLange provided a brief history of the College, its current campuses and an overview of the average of the NCLEX pass rates for Arizona College graduates. Ms. DeLange stated that the College will not open until it receives approval from the Colorado Board of Nursing for its Bachelor of Nursing program.

Ms. DeLange offered support should the Commission decide to move the item from discussion to action. She clarified that two votes were needed: one for each campus. The Commission voted in favor of Provisional Authorization for each Colorado campus.

Commissioner Colon moved that the items be taken for Action. Seconded by Commissioner Tucker, it passed unanimously. Commissioner Colon moved to approve the items. Seconded by Commissioner Tucker, it passed unanimously.

V. Commission Initiatives

A. OER Annual Report Briefing—Spencer Ellis

As this initiative begins its last year of funding, Spencer Ellis briefed the CCHE on the findings of the 2020 OER Annual Report as required by statute. In October 2020, the OER Council and CDHE published a report on the impact of the first- and second-year grant cycles. With the disbursement of \$550,000 in grants in FY 2018-19, students saved \$3.9 million in textbook costs in the 2019-20 academic year. This is more than a 700 percent return on investment which far exceeds the program's goals and the national average for similar programs. In its inaugural year, the program impacted 30,464 students enrolled in more than 100 course titles with OER grant materials. In addition, 127 Open Educational Ambassadors were trained across 35 institutions. With the award for \$1 million in grants in FY 2019-20, the number of impacted course titles rose to 205. CCHE affirmed its commitment to OER. The impact of year two grant funding on student savings will be reported in 2021. Full report can be found at: http://masterplan.highered.colorado.gov/wp-content/uploads/2020/10/FINAL_OER_Report_2020_9_29_20.pdf.

The meeting adjourned at 4:28pm.



TOPIC: DEGREE AUTHORIZATION ACT – ECPI UNIVERSITY -
RECOMMENDATION OF APPROVAL FOR RENEWAL OF
AUTHORIZATION AS A PLACE OF BUSINESS

PREPARED BY: HEATHER DELANGE, OFFICE OF PRIVATE POSTSECONDARY
EDUCATION

I. SUMMARY

This consent item recommends the renewal of authorization as a Place of Business (with no instruction) for ECPI University under the Degree Authorization Act.

II. BACKGROUND

The Colorado Commission on Higher Education (CCHE) has statutory responsibility for administration of Title 23, Article 2 of the Colorado Revised Statutes, commonly referred to as the Degree Authorization Act (DAA). The Act specifies the terms by which the Commission may authorize accredited private colleges and universities, out-of-state public colleges and universities, and seminaries and bible colleges to operate in Colorado.

The DAA outlines the Department's jurisdiction over private education programs available to Colorado residents. The DAA establishes standards to (1) prevent misrepresentation, fraud, and collusion in offering educational programs to the public and (2) protect, preserve, foster, and encourage the educational programs offered by private educational institutions, which meet generally recognized criteria of quality and effectiveness as determined through voluntary accreditation.

III. STAFF ANALYSIS

Pursuant to statute and policy, all authorized institutions under the DAA must renew authorization periodically. The renewal period varies by the type of authorization approved by the CCHE. ECPI University has applied for renewal of authorization as a Place of Business without instruction.

The Place of Business (with no instruction) authorization is defined as an accredited institution having a place of business within Colorado but may not offer instruction in the state. These institutions are subject to the deceptive trade practice provisions in §23-2-104, C.R.S.

ECPI University or East Coast Polytechnic Institute, a Virginia based institution offering undergraduate and graduate level education, is regionally accredited by the Southern Association of Colleges and Schools (SACS).

The majority of ECPI University's admissions and student services advisors who serve online students are located at the University's main campus in Virginia Beach, Virginia. The Colorado

location allows the University to provide expanded hours of operation to serve online students located in the Mountain and Pacific Time Zones. The University does not conduct any instructional design or delivery in or through the Colorado administrative office, nor is there a plan to do so.

The support staff in Colorado provide service to new and continuing ECPI students through various methods such as telephone, email, and Skype. There are no in-person meetings with students or prospective students in the Colorado office. Employees complete the admissions process for enrollment. Students complete their enrollment paperwork online and submit payment via the internet, no application fees or tuition is collected in Colorado. As reported in February 2020, there are 37 students from Colorado enrolled in ECPI University's online programs.

ECPI University continues to meet the criteria to operate as an institution with a Place of Business (with no instruction) at its Colorado location and therefore meets the renewal requirements for this authorization level.

IV. STAFF RECOMMENDATION

Staff recommends approval of the renewal of authorization as a Place of Business (with no instruction) for ECPI University.

V. STATUTORY AUTHORITY

C.R.S §23-2-103.3(5) A private college or university that has authorization from the commission pursuant to this section and maintains its accreditation shall apply to the department for reauthorization in accordance with the schedule for reaccreditation by its accrediting body or every three years, whichever is longer. A seminary or religious training institution shall apply for reauthorization every three years. A private college or university or seminary or religious training institution that seeks reauthorization shall submit an application in accordance with the procedures and policies adopted by the commission and shall pay the reauthorization fee established by the commission pursuant to section 23-2-104.5.

TOPIC: APPROVAL OF SUPPLEMENTAL FOR ADJUSTED NWC
CERTIFICATE OF PARTICIPATION PAYMENT SCHEDULE

PREPARED BY: LAUREN GILLILAND, LEAD FINANCE ANALYST

I. SUMMARY

This item seeks approval of the regular supplemental submitted by Colorado State University to reflect its revised National Western Center (NWC) Certificate of Participation (COP) payment schedule. This supplemental will decrease the current fiscal year's appropriation by \$6.57 million.

II. BACKGROUND

HB 15-1344 provided authorization for COPs to be issued for three CSU buildings at the redeveloping National Western Center and at the Fort Collins campus. The first tranche was issued in 2018 for land acquisition for all buildings and partial funding of the Water Resources Building at the National Western Center, as well as for the projects underway in Fort Collins. The second and final tranche was issued in October 2020 for the remainder of the Water Resources Building funding, the Animal Health Building and the CSU Center. Spending authority for each of these projects has been approved previously by the Commission.

With the final issuance of the NWC COPs, Series 2020AB, in October 2020, the State Treasurer included capitalized interest to pay a portion of the interest due on Series 2018 and Series 2020. This was done to provide some expense relief in the current and next fiscal year for the State given its current difficult financial situation. Total payments are also less than previously estimated over the course of the agreement due to the current favorable interest rate environment.

III. STAFF ANALYSIS

Summary of Request:

Table 1 displays the summary of the adjustment for the current fiscal year.

Table 1:
Summary of Adjustment

Fiscal Year to be Modified	Total Funds	Capital Construction Fund (CCF)	Cash Funds (CF)
FY 2020-21	(\$6,568,932)	(\$6,568,932)	-

This request will revise the FY 2020-21 Long Bill Capital Construction Fund Appropriation for the NWC COP payments from \$18,696,574 to \$12,127,642. The revision is necessary to accurately reflect the new payment schedule.

IV. STAFF RECOMMENDATIONS

Staff recommends approval of this regular supplemental and the forwarding of it to the Office of State Planning and Budgeting and the Capital Development Committee.

V. STATUTORY AUTHORITY

C.R.S. § 23-1-106

(1) Except as permitted by subsection (9) of this section, it is declared to be the policy of the general assembly not to authorize any activity requiring capital construction or capital renewal for state institutions of higher education unless approved by the commission.

ATTACHMENTS:

ATTACHMENT A: NWC COP Series 2020A & Series 2020B Revised Payment Schedule

Aggregate Debt Service
STATE OF COLORADO
JAL WESTERN CENTER Lease Purchase Financing Program Certificates of Participation
Series 2020A & Series 2020B
**** Results of Pricing on 10/1/20 ****

Period Ending	Series 2020A (Tax Exempt)	Series 2020B (Federally Taxable)	Series 2020 Capitalized Int.	2018 Issuance	New 2018 Capl	Aggregate Debt Service
6/30/2021	1,306,637.50	462,499.27	(1,769,136.77)	14,532,765.75	(2,405,124.10)	12,127,641.65
6/30/2022	3,433,500.00	1,215,326.56	(4,648,826.56)	14,527,031.71	(4,667,031.71)	9,860,000.00
6/30/2023	7,752,750.00	1,215,326.56		8,528,714.19		17,496,790.75
6/30/2024	7,755,500.00	1,215,326.56		8,528,521.51		17,499,348.07
6/30/2025	7,761,375.00	1,215,326.56		8,524,429.86		17,501,131.42
6/30/2026	7,759,875.00	1,215,326.56		8,525,804.86		17,501,006.42
6/30/2027	7,755,625.00	1,215,326.56		8,525,679.86		17,496,631.42
6/30/2028	7,753,000.00	1,215,326.56		8,528,429.86		17,496,756.42
6/30/2029	7,756,125.00	1,215,326.56		8,528,429.86		17,499,881.42
6/30/2030	7,754,250.00	1,215,326.56		8,530,054.86		17,499,631.42
6/30/2031	7,761,500.00	1,215,326.56		8,522,804.86		17,499,631.42
6/30/2032	7,757,125.00	1,215,326.56		8,525,929.86		17,498,381.42
6/30/2033	7,755,500.00	1,215,326.56		8,528,429.86		17,499,256.42
6/30/2034	5,386,375.00	3,581,263.23		8,528,506.24		17,496,144.47
6/30/2035		8,977,130.70		8,522,562.94		17,499,693.64
6/30/2036		8,975,339.63		8,524,054.26		17,499,393.89
6/30/2037		8,974,833.68		8,523,404.58		17,498,238.26
6/30/2038		8,978,960.55		8,520,209.20		17,499,169.75
6/30/2039		8,980,935.75		8,518,962.25		17,499,898.00
	95,449,137.50	63,514,881.53	(6,417,963.33)	173,994,726.37	(7,072,155.81)	319,468,626.26

TOPIC: DEGREE AUTHORIZATION ACT – CAPELLA UNIVERSITY –
RECOMMENDATION OF APPROVAL FOR AUTHORIZATION AS A
PLACE OF BUSINESS (WITH NO INSTRUCTION)

PREPARED BY: HEATHER DELANGE, OFFICE OF PRIVATE POSTSECONDARY
EDUCATION

I. SUMMARY

This consent item recommends the authorization as a Place of Business (with no instruction) for Capella University under the Degree Authorization Act and CCHE policy Section I, Part J.

II. BACKGROUND

The Colorado Commission on Higher Education (CCHE) has statutory responsibility for administration of Title 23, Article 2 of the Colorado Revised Statutes, commonly referred to as the Degree Authorization Act (DAA). The Act specifies the terms by which the Commission may authorize accredited private colleges and universities, out-of-state public colleges and universities, and seminaries and bible colleges to operate in Colorado.

Pursuant to statute and policy, all authorized institutions under the DAA must renew authorization periodically. The renewal period varies by the type of CCHE authorization. A private college or university that has CCHE authorization as a Place of Business shall renew its authorization annually.

The Place of Business (with no instruction) authorization is defined as an accredited institution having a place of business within Colorado but cannot offer instruction in the state. These institutions are subject to the deceptive trade practice provisions in §23-2-104, C.R.S.

After conducting a market analysis, an assessment of learner and alumni populations, and examining the potential for community impact, Capella University proposes to open a campus location in Denver, Colorado. Capella has over 500 Colorado residents enrolled its programs and a Denver campus center location will be well positioned geographically to provide localized support and staffing.

III. STAFF ANALYSIS

Capella University is a for-profit, predominantly online university located in Minneapolis, Minnesota, that has been continuously accredited by the Higher Learning Commission since 1995. Its mission is to extend access to high quality bachelor's, master's, doctoral, and certificate programs for adults who seek to maximize their personal and professional potential. Capella offers undergraduate and graduate programs in business, counseling, education, health care administration, information technology, nursing, public health, public service, psychology, social work, and human services.

Capella University is seeking to establish a campus center in Denver to extend access and provide educational support to working adults in Colorado. Under the Place of Business

authorization, instruction is not permitted other than what is provided to students in an online modality. Rather than any teaching or faculty led instruction at the local site, the proposed campus center will allow Capella University staff to have in-person consultation with prospective students, provide academic advising services, and provide current students, prospective students, and alumni with the ability to engage in career exploration.

As a university authorized to operate an administrative office or Place of Business, Capella must renew its authorization annually and is required to report enrollment and degrees granted data.

IV. STAFF RECOMMENDATIONS

Staff recommends approval of authorization for Capella University as a Place of Business (with no instruction).

V. STATUTORY AUTHORITY

C.R.S §23-2-103.3(5) A private college or university that has authorization from the commission pursuant to this section and maintains its accreditation shall apply to the department for reauthorization in accordance with the schedule for reaccreditation by its accrediting body or every three years, whichever is longer. A seminary or religious training institution shall apply for reauthorization every three years. A private college or university or seminary or religious training institution that seeks reauthorization shall submit an application in accordance with the procedures and policies adopted by the commission and shall pay the reauthorization fee established by the commission pursuant to section 23-2-104.5.

TOPIC: RECOMMEND APPROVAL OF REAUTHORIZATION OF
EDUCATOR PREPARATION PROGRAMS AT METROPOLITAN
STATE UNIVERSITY OF DENVER

PREPARED BY: DR. BRITTANY LANE, DIRECTOR OF EDUCATOR PREPARATION

I. SUMMARY

This item recommends reauthorization of the educator preparation unit and educator preparation programs at the Metropolitan State University of Denver.

II. BACKGROUND

Pursuant to C.R.S. §23-1-121 the Colorado Commission on Higher Education (CCHE) considers reauthorization of all educator preparation programs at public and private institutions of higher education, after receiving an affirmative recommendation from the State Board of Education. The process for reauthorization of educator preparation programs is as follows:

- Colorado Department of Education (CDE) conducts a review of the endorsement programs to ensure that the content is designed and implemented in a manner that will enable a candidate to meet the requirements for licensure in Colorado (C.R.S. §22-60.5).
- Department of Higher Education (DHE) reviews the unit and its programs for the following statutory performance criteria: admission system; ongoing advising and screening of educator candidates; integration of theory and practice in coursework and field based training; supervised field based experience; and assessment of candidates' subject matter and professional knowledge and ability to apply the professional knowledge base [C.R.S. §23-1-121(2)].
- DHE and CDE then jointly conduct an on-site visit of the unit and its educator preparation programs.
- CDE provides a recommendation to the State Board of Education (SBE), which then provides a recommendation to DHE.
- Upon receiving an affirmative recommendation, DHE offers a recommendation to CCHE.

III. STAFF ANALYSIS

At its August 12, 2020 meeting, the Colorado State Board of Education approved the content of the educator preparation programs at the Metropolitan State University of Denver (MSU Denver). CDE staff transmitted the State Board of Education's approval of the following endorsement programs:

- | | |
|--|---|
| • Art | • Culturally and Linguistically Diverse Education |
| • Culturally and Linguistically Diverse Bilingual Education Specialist | • English Language Arts |

- Mathematics
- Music
- Physical Education
- School Social Worker
- Science
- Social Studies
- Special Education Generalist
- World Languages

The SBE voted to conditionally approve the reauthorization of two of MSU Denver's endorsement programs for the 2020-21 academic year only:

- Early Childhood Education (4.01)
- Elementary Education (4.02)

During the on-site evaluation visit, the reauthorization team noted several strengths and provided recommendations for the educator preparation programs at MSU Denver. Specifically, the site-visit review team appreciated:

- MSU Denver's mission and vision and how faculty, staff, and students consciously incorporate them into their work.
- The dedication of the faculty to MSU Denver students.
- The faculty's intentional modeling of teaching for candidates to teach P-12 students.
- The sense of community.

Recommended areas for improvement included:

- A more consistent and systematized process for clinical placements,
- Annual data collection for continuous improvement in evaluating candidates and programs.

The SBE recommended reauthorization of the Elementary Education and Early Childhood Education endorsements with the following conditions:

- Submit updated endorsement matrices addressing state review findings to ensure alignment with research-based reading instruction in Elementary and Early Childhood endorsements rules 1 CCR 301-101-4.02(5)-(13);
- Submit updated Elementary and Early Childhood course sequencing schedules and all syllabi for any courses that are identified by the program aligned to reading endorsement rules 1 CCR 301-101-4.02(5)-(13);
- Participate in a state review team visit in spring semester of 2021 to ensure implementation of all identified areas of improvement for teaching reading content and instruction found in the reauthorization report from CDE dated July 2020; and
- Ensure interviews with appropriate stakeholders (reading faculty, current candidates, school of education leadership, district partners) in the elementary and early childhood endorsement areas take place during state review team visit in March 2021.

IV. STAFF RECOMMENDATION

Staff recommends Commission reauthorization of the educator preparation unit and educator preparation programs at the Metropolitan State University of Denver. Should the State Board of Education rescind authorization following the March 2021 site visit, the CCHE authorization will be rescinded and reviewed.

V. STATUTORY AUTHORITY

§23-1-121 C.R.S.: (4) (a) (I) The department, in conjunction with the department of education, shall review each educator preparation program offered by an institution of higher education as provided in paragraph (b) of this subsection (4) and shall establish a schedule for review of each educator preparation program that ensures each program is reviewed as provided in this section not more frequently than once every five years.

TOPIC: PROPOSED REVISIONS TO CCHE POLICY VI F STATE-FUNDED STUDENT FINANCIAL AID TO INCLUDE CASFA AND HOUSE BILL 19-1196 PROCESSES

PREPARED BY: EMILY ORR, BUDGET/FINANCIAL AID DIRECTOR

I. SUMMARY

This item outlines proposed revisions to CCHE Policy VI, Part F: State-Funded Student Financial Aid Policies to codify new processes required as a result of the passage of HB 19-1196 and the implementation of a statewide financial aid application for undocumented students, commonly referred to as the CASFA (Colorado Application for State/Student Financial Aid).

II. BACKGROUND

Financial aid statutes found in Section 23-3.3-101 through 901, C.R.S., as well as 23-3.5-101 through 104 and 23-3.7-103 through 107 give CCHE substantial authority in the allocation and administration of state-funded financial aid. Commission policies govern the distribution of state financial aid awards; however, because financial aid packaging is decentralized, individual awards of student aid are made exclusively at the institutional level.

HB 19-1196 allows ASSET students who are classified as in-state for tuition classification purposes to be newly eligible for state-funded financial aid awards. When HB 19-1196 was signed into law during the 2019 legislative session, Department staff worked with institutional staff to implement the legislation. In doing so, Department staff learned that the application processes by which institutional staff were assessing need for ASSET and other undocumented students varied greatly. Department and institutional staff determined that the best way to address the wide variety of needs assessment methodologies was to develop a uniform statewide application that mirrored the federal application (FAFSA) that citizen/documentated students complete in order to be awarded state-funded financial aid.

In order to allow newly eligible ASSET students timely access to this new source of aid, Department and institutional staff agreed that, with the approval of the Commission, a temporary measure could be adopted to allow institutions to continue to use their existing applications and methodology to determine need for ASSET students while a statewide application was developed. If an institution did not have an existing application or needs-analysis methodology in place, there was an option to use the CTE Grant Needs-Analysis methodology (see Appendix B). The Commission approved this approach at the June 2019 meeting.

The new online statewide financial aid application became available on October 1, 2020. The Colorado Application for State Financial Aid (CASFA) allows students who are not eligible for Title IV (federal) aid to complete a financial aid needs-analysis that mirrors the methodology in the Free Application for Federal Student Aid (FAFSA). In this way, institutional financial aid offices are now able to equally compare the demonstrated need of a student who is eligible for Title IV aid (completing the FAFSA) and a student that is not (completing the CASFA).

This agenda item seeks Commission recognition of the CASFA as the official statewide application to be utilized by students not eligible for Title IV aid as well as Commission approval of confirming changes to the CCHE Policy VI, Part F: State-Funded Student Financial Aid Policies.

III. STAFF ANALYSIS

Staff has worked closely with institutional financial aid offices, community organizations, and the software provider to ensure that this application meets the needs of students and institutions. Staff will continue to work to ensure that the application and accompanying software are continuously improved as all parties gain a better understanding of the process in the first years of implementation.

IV. STAFF RECOMMENDATION

Staff recommends that the Commission approve the revisions to CCHE Policy VI, Part F: State-Funded Student Financial Aid Policies, see Appendix A.

V. STATUTORY AUTHORITY

C.R.S. §23-3.3 -101, 103; §23-3.3 401-501

ATTACHMENTS

Appendix A: Revised Policy
(forthcoming)

Attachment B: Agenda Item IV B
CCHE Meeting June 6, 2019: HB
19-1196 PROPOSED INTERIM
REVISIONS TO CCHE
POLICY VI, PART F: STATE
FUNDED FINANCIAL AID
POLICIES

SECTION VI

PART F STATE-FUNDED STUDENT FINANCIAL AID POLICY

1.00 Introduction

This policy describes the goals, programs, student eligibility criteria for each program, and eligibility standards for institutions participating in Colorado's ~~three~~ primary state-funded student assistance programs:

- **Need-based** aid assists students who cannot otherwise afford to attend college. Colorado Student Grant Program and Colorado Graduate Grant Program (hereinafter "Critical Colorado Career Graduate Grant Program") are designed for students with demonstrated need.
- **Merit-based** aid recognizes and recruits Colorado's most outstanding students. "Merit-based assistance" is financial aid that an institution awards to a student based on the student's academic, artistic, athletic, or other special accomplishments. *Colorado Graduate Scholars is currently unfunded*
- **Work-based** aid allows students to earn funds to assist in attending eligible educational institutions. It is considered a form of "self-help" assistance, since the student is earning money to help meet educational costs. Employment may be in jobs at eligible Colorado educational institutions, non-profit organizations, governmental agencies, or for-profit organizations. While the majority of funds are reserved for undergraduate students with documented financial need (minimum of 70 percent), a limited number of students who wish to work their way through college may benefit from the work-study program without documenting need.
- **CTE Certificate Tuition Assistance Program** aid provides tuition assistance for low-income students enrolled in short CTE certificates that are ineligible for Pell grants.

The state-funded entitlement programs (Native American Tuition Assistance Program, Dependents Tuition Assistance Program) are statutorily mandated.

2.00 Statutory Authority

Statutory authority for the Colorado Student Grant, Colorado Graduate Grant, Colorado Merit Aid, and Colorado Graduate Scholars programs is contained in 23- 3.3-501, C.R.S.

Scholarship and grant program – funding.

The Commission shall use a portion of any moneys remaining after meeting the requirements of parts 2 and 3 of this article to provide other programs of financial assistance based upon financial need, merit, talent, or other criteria established by the Commission for students enrolled at institutions.

Statutory authority for the Colorado Work-Study Program is contained in 23-3.3-401, C.R.S.

Work-study program established – requirements.

(1) The Commission shall use a portion of any moneys remaining after meeting the requirements of parts 2 and 3 of this article to provide a work-study program of employment of qualifying students in good standing with the institution in which they are enrolled in positions that are directly under the control of the institution in which the student is enrolled or in positions with non-profit organizations, governmental agencies, or for-profit organizations with which the institution may execute student employment contracts.

(2) Any in-state student who is enrolled or accepted for enrollment at an institution as an undergraduate may qualify for participation in the work-study program established pursuant to this section.

(3) Funds appropriated to the Commission may also be used by the Commission in conjunction with and to supplement funds for current job opportunities or to supplement or match funds made available through any other public or private program for financial assistance. A sum not to exceed thirty percent of the funds allocated by the Commission for the work-study program may be used to provide funding on a basis other than financial need. A sum of not less than seventy percent of such money shall be used for students demonstrating financial need.

Statutory authority for the Commission's allocation method and institutional use of need-based grant funds is contained in 23-3.3-102, C.R.S. **(2) The commission shall determine, by guideline, the institutions eligible for participation in the program and shall annually determine the amount allocated to each institution.**

(3) Each state institution shall administer a financial assistance program according to policies and procedures established by the governing board of the institution. Each private institution of higher education, as defined in section 23-18-102 (9), that participates in the program of financial assistance established pursuant to this section shall administer a financial assistance program according to policies and procedures established by the governing board of the institution. Each participating nonpublic institution that is not a private institution of higher education shall administer a financial assistance program according to policies and procedures established by the commission. Each institution shall fund its assistance program using state moneys allocated to the institution and institutional moneys.

Statutory authority for the Colorado CTE grant is contained in 23-3.3-1101, C.R.S. and is not subject to the flexibility as the state need based programs.

(1) The commission shall establish a tuition assistance program for students enrolled in Career and Technical Education certificate programs. The commission shall allocate moneys to community colleges, area vocational schools, Colorado Mesa University, and local district junior colleges to provide tuition assistance for students who meet the income eligibility requirements for the Pell grant but do not qualify for the Pell grant because the certificate program in which they are enrolled does not meet the minimum credit hour requirements. The department of higher education and the institutions that receive tuition assistance moneys pursuant to this section shall administer the program in accordance with policies and procedures that the commission establishes.

3.00 Goals, Principles and Terminology

3.01 Policy Goals for State-Supported Financial Aid

CCHE's Financial Aid Policy is designed to facilitate access for Colorado residents and provide academic incentives that promote greater access and academic achievement in college.

3.01.01 Need-Based Aid

The goal of need-based student financial aid is to provide financial resources to Colorado residents who otherwise would be unable to pursue postsecondary education.

3.01.02 Merit-Based Aid

The goal of Colorado's Merit Program is to recruit and retain undergraduate Colorado resident students at Colorado colleges and universities who demonstrate outstanding levels of academic achievement.

Eligibility for the Colorado Merit program is determined by governing boards and may include criteria such as GPA, credit hour accumulation, course of study, or other requirements.

The Colorado's Graduate Scholars Program is currently unfunded.

3.01.03 Work-Study Aid

The goal of Colorado's Work-Study Program is to allow Colorado undergraduate resident students to earn funds while enrolled in a Colorado institution of higher education.

3.01.04 CTE Certificate Tuition Assistance

The goal of Colorado's CTE Certificate Tuition Assistance program is to provide low-income students options to quickly enter the work-force.

3.02 Principles

The Financial Aid Policy is based on the following principles:

3.02.01 Financial aid policies and practices should maximize the amount of financial aid funds available for Colorado residents by using federal dollars as the initial funding base, and by taking into consideration federal tax credits.

3.02.02 Students have a responsibility to contribute toward their cost of education. Student responsibility may be demonstrated in several forms, such as a work-study job, outside employment, and/or earning merit-based scholarships.

3.02.03 State financial aid need-based dollars should be directed toward the students with the least ability to pay the cost of higher education.

- 3.02.04 The state and the institutions are co-responsible for ensuring student access to higher education. The state's role is to provide leadership – by defining the operating values, specifying the statewide goals, and allocating the funds. The institutions are responsible for creating policies and programs that meet the statewide policy goals by developing the procedures, administering the programs, and making the appropriate decisions to assist individual students in achieving their educational goals.
- 3.02.05 The College Opportunity Fund (COF) is a way of delivering funding to institutions as stated in C.R.S. 23-18-202 and the COF stipend is not classified as student financial aid for students enrolled at Colorado public institution of higher education. The COF stipend is not included in calculating a student's Cost of Attendance (budget) nor is it a resource to the student for financial aid purposes for students attending a public institution of higher education. College Opportunity Fund dollars are, however, classified as student financial aid for eligible student recipients enrolled at participating private, non-profit colleges and universities.

3.03 Terminology

Award Year begins July 1 and ends June 30. All funds appropriated for a particular fiscal year are awarded to students enrolled during the award year.

Colorado Resident Student is a student who is eligible for in-state tuition classification as defined in Title 23, Article 7, C.R.S. For financial aid purposes, the definition applies to public and non-public institutions.

Cost of Attendance is the estimated cost of attending the institution, including tuition and fees, books and supplies, room and board, personal expenses and transportation costs. Each year, CCHE establishes parameters for living expenses that are used to establish each institutional cost of attendance.

Dependent Student is one who does not qualify as a self-supporting or independent student status as defined by FAFSA criteria.

Eligible Institution is an educational institution operating in Colorado, which meets requirements, specified in 23-3.3-101, C.R.S., and can document that it has a governance structure and institutional capability to administer a student aid program. A change in ownership or control of an eligible proprietary institution terminates eligibility. The owners must submit a new application.

Eligible Program is a program of education or training which:

- 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;

- Leads to a certificate, associate, bachelor, professional, or higher degree; or
 - Is at least a two-year program which is acceptable for full credit toward a bachelor's degree; or
 - Is at least a one-year program leading to a certificate or a degree that prepares a student for gainful employment in a recognized occupation; or
- Is, for a proprietary institution or a postsecondary vocational institution, a program that provides at least 600 clock hours, 16 semester or trimester hours, or 24 quarter hours of undergraduate instruction offered during a minimum of 15 weeks of instruction, leading to a certificate or degree which prepares students for gainful employment in a recognized occupation.

Eligible Student is one who is enrolled in an eligible program as a "regular student." A "regular student" is defined as a student who is enrolled or accepted for enrollment at an institution for the purpose of obtaining a degree, certificate, or other recognized educational credential offered by that institution.

Expected Family Contribution (EFC) is the amount that the student's family is expected to contribute toward cost of attendance, usually based on the family's income and assets, as evaluated by the formula known as "Federal Needs Analysis Methodology" specified in federal law.

Financial Need is the difference between the student's budget and the student's and family's resources as evaluated by the formula known as "Federal Needs Analysis Methodology" specified in federal law.

First Professional Student is a student who is enrolled in the schools of professional veterinary medicine, law, dentistry or medicine (M.D. program only).

Full-time Graduate Student is a graduate student who is enrolled in at least nine semester or quarter hours per academic term.

Full-time Undergraduate Student is an undergraduate student who at minimum is enrolled for:

- Twelve semester or quarter hours per regular academic term; or
- Twenty-four clock hours per week.

Graduate student is a degree-seeking student who is in attendance at an institution of higher education and is enrolled in an academic program of instruction beyond the baccalaureate level. The term includes any portion of a program leading to either a degree beyond the baccalaureate degree, or a first-professional degree when at least

three years of study at the pre-baccalaureate degree level are required for entrance into a program leading to such a degree. A student admitted as a special/provisional graduate student is eligible for financial aid for one term only.

Half-time Graduate Student is a graduate student who enrolls in four to eight semester or quarter hours per academic term.

Half-time Undergraduate Student is an undergraduate student who enrolls in:

- Six to eleven semester or quarter hours per regular academic term; or
- Twelve to twenty-three clock hours per week.

Independent Student is a student who meets the requirements for self-supporting or independent student status as defined in federal regulations and policy (Title 20 U.S.C. Sec. 1087vv (2008)).

Professional Judgment within the State of Colorado aid programs is the authority delegated to the Colorado financial aid administrators to exercise judgment in special circumstances when a student has substantively met the state eligibility parameters but circumstances beyond the student's control make the student technically ineligible for state financial aid. The state relies on the financial aid administrator to make such decisions that are in the best academic interest of the student. Because professional discretion provides limited flexibility to be exercised only in special circumstances, the financial aid administrator is solely responsible for ruling on the exception and documenting the decision. Professional judgment may not be used to award state aid to non-resident students.

Recent Colorado high school graduate is a student who has graduated from a Colorado high school within two years of being admitted to/enrolled in any postsecondary institution. A recent graduate must be a Colorado resident.

State-funded student assistance refers to the state **student financial assistance** dollars appropriated to fund the following programs:

- Need-based Programs are the financial aid programs that use "expected family contribution" or income category as a necessary criterion in making the award, including:
 - Colorado Student Grant
 - Colorado Graduate Grant/Critical Career Graduate Grant
- Non-need-based Funds are those programs that may be awarded on criteria that do not include "expected family contribution" or income category as a necessary criterion, including:
 - Colorado Work-Study
 - Colorado Merit Aid

Colorado also approves special appropriations for certain groups of individuals (e.g., Tuition Assistance Programs for Dependents of Deceased or Permanently Disabled Members of the Colorado National Guard, Firefighters, Law-Enforcement Personnel or POW/ MIA, Native American Tuition Assistance Program, CTE Certificate Tuition Assistance Program). These funds are referred to as categorical programs and have special criteria typically tied to funding.

Undergraduate Student is a degree-seeking student (for the purpose of obtaining a postsecondary certificate, associate degree, or first baccalaureate degree) who is enrolled at an eligible institution. The following limits apply to certain enrollment situations:

- Undergraduate students admitted as special students, and students enrolled exclusively in basic skills courses, are eligible for one term.
- Students concurrently enrolled in high school are not eligible for any program of state-funded student assistance, including students enrolled under the Concurrent Enrollment Programs Act.
- Students are considered as undergraduate students when they are enrolled in study abroad, continuing education, technology-delivered courses, or consortium courses if:
 - The student is admitted to a degree or certificate program at the home institution.
 - The credits are applicable toward the program as if the credits were earned in regular courses at the home institution and the student's transcript at the home institution shows the individual classes taken.
 - When the courses are offered by another institution, written agreements exist between the institutions describing the acceptance of the courses toward the program to which the student is admitted prior to that enrollment.

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.

5.00 Student Eligibility

To be considered for a state-supported financial aid award, all students must meet the following requirements:

- Be a U.S. citizen, permanent resident, or eligible non-citizen; ~~based on federal Title IV eligibility requirements for federal student aid;~~
- Have registered for selective service, if required;
- Eligible non-citizens are defined as:
 - attended high school in Colorado for at least 3 years before graduating from a Colorado high school or before successfully completing a high school equivalency examination;
 - admitted to a qualifying institution of higher education within 12 months after high school graduation;
 - having submitted an affidavit stating that the student has applied for lawful presence or will apply as soon as he or she is eligible.
- Be in good standing and demonstrate academic progress according to the institution's published Standards of Satisfactory Academic Progress for financial aid purposes;

Formatted

- Undergraduate students are eligible for state financial aid until they graduate, but not to exceed a maximum of 150% of the program's graduation requirements (credit hours), or the maximum defined by institutional policy, if more restrictive.

Exclusions

Students seeking professional degrees in theology are prohibited to receive state funded financial assistance. Professional degrees in theology as defined in 23-3.3- 101, C.R.S. as:

- devotional in nature or designed to induce religious faith; and
- offered by an institution as preparation for a career in the clergy;

5.01 Student Eligibility for Need-Based Financial Aid Programs

Colorado funds two state need-based financial aid grant programs, the Colorado Student Grant Program, and the Colorado Graduate Grant Program (“Critical Career Graduate Grant”), for Colorado residents.

5.01.01 Colorado Student Grant

Colorado Student Grants are awarded annually. To be eligible to receive a Colorado Student Grant, the student must meet the following minimum eligibility requirements:

- Be an undergraduate student enrolled in an approved certificate or degree program;
- Be a Colorado resident;
- Be enrolled at least half-time (i.e., six credit hours per term);

Show documented financial need through a valid Free Application for Federal Student Financial Aid.

5.01.02 Colorado Graduate Grant (“Critical Career Graduate Grant”)

Critical Career Graduate Grants are awarded annually. To be eligible to receive a Critical Career Graduate Grant, the student must meet the need- based requirements in 5.01.03 and the following minimum eligibility requirements:

- Be a Colorado resident;
- Be enrolled at least half-time (i.e., four credit hours per term);
- Show documented financial need.

5.01.03 Eligibility Limits for Colorado Student Grant

Public and non-profit private institutions are granted financial aid flexibility and will award students in accordance with institutional policies.

Proprietary institutions award state funded financial aid in accordance guidelines set forth by the state. To ensure that state need-based dollars are directed to eligible Colorado resident students who have the least ability to pay for their education; CCHE policy defines funding levels for awards granted at proprietary institutions. Using Expected Family Contribution, institutions will award need-based dollars to Pell eligible applicants. Other applicants will be considered only after meeting the need of Pell eligible

applicants. Reasonable administrative practices, such as application deadlines, are recognized as realistic and appropriate. Institutions must fund Pell eligible students before consideration is given to any other students.

Pell Eligible: Students with the Least Ability to Pay

Students with an Expected Family Contribution (EFC) between zero and 100% of that required for a PELL grant. The minimum undergraduate award for this group of students is \$1,000 or the maximum amount of unmet need, whichever is less. The minimum grant is \$1,000 to allow the funds to be spread among more students, accommodating budget reductions at the state level. The maximum undergraduate award is \$5,000. Awards may be pro-rated for part-time enrollment.

Level 2: Students with Documented Need and Moderate Ability to Pay

Students with an EFC that is greater than 100% up to 200% of that required for the minimum Pell grant award. Maximum award for this category of students is \$2,500, or the maximum amount of unmet need, whichever is less. The grant can be pro-rated for part-time attendance.

Level 3: Students with Documented Need and Average Ability to Pay

All other students who demonstrate financial need as calculated by the federal methodology. Maximum award for this category of students is \$500.

5.01.04 Allocation Method

Undergraduate Need Based Aid (Colorado Student Grant)

The purposes of the Colorado Student Grant program are to provide need-based financial assistance to eligible Colorado residents as well as to encourage credit hour accumulation, persistence (including successful transfer), and timely completion. To accomplish these goals the Commission allocates state need-based dollars to institutions based upon their enrollments of eligible Colorado resident students who have the least ability to pay for their education; that is, Colorado Student Grant funds will be allocated to Pell eligible FTE at state-supported and non-profit private institutions, by class level (i.e., Freshmen, Sophomore, Junior, and Senior). The Commission shall differentiate awards among class levels, providing increasingly larger awards for students who progress academically. In determined allocation amounts, the Commission will use the most current, reliable data available.

The Commission allocates Colorado Student Grant funds to participating public and non-profit private institutions according to the following method:

- Freshmen students are those with 0-29 semester credit hours earned; Sophomores are those with 30-59 credit hours earned; Juniors are those with 60-89 credit hours earned; and Seniors are those with 90 or more credit hours earned.
- Student FTE enrolled in Title IV eligible programs at Area Vocational Schools will be counted as Freshmen students; all other institutions will be counted as reported.
- The Commission will annually establish a base rate for Freshmen students and incrementally larger awards based upon a student's class level. The Sophomore rate must be larger than the Freshmen (base) rate; the Junior rate must be larger than the Sophomore rate; the Senior rate must be larger than the Junior rate.
- The Commission will annually review the allocation method to ensure that changes to enrollment or funding levels are reasonable, predictable, and meet the objectives of this section.

Colorado Graduate Grant

The Commission allocates Colorado Graduate Grant funds to participating institutions following the established methodology:

- Participating State-supported four-year institutions, and approved private institutions will receive a flat payment from the state for each Pell Eligible-EFC student FTE enrolled in a critical career program.
- Payment based on the average of the actual COA-EFC at each eligible institution as reported in SURDS. Eligible private institutions will use the average of a comparable public institution.

5.02 Student Eligibility for Merit Based Financial Aid

~~Colorado funds one state merit-based financial aid programs, Colorado Centennial Scholars and Colorado Graduate Scholars. State-supported merit aid is awarded annually. Students must qualify for these competitive awards each year by meeting all criteria. Institutions may adopt other eligibility criteria, in accordance with their institutional role and mission. The policy minimum standards only imply that a student may be considered for a merit award. They do not guarantee an award.~~

~~5.02.01~~ ~~Colorado Merit Aid~~

~~To be eligible to receive a Colorado Merit Aid Award, the student must meet the following minimum eligibility requirements:~~

- ~~• Be an undergraduate student enrolled as a degree or certificate seeking student;~~
- ~~• Be a Colorado resident;~~
- ~~• Meet eligibility criteria as determined by each institution.~~

~~5.03~~5.02 Student Eligibility for Work-Based Financial Aid Program

In order to participate in the Colorado Work-Study Program, a student must meet the following eligibility requirements:

- Be an undergraduate student in an approved certificate or degree program;
- Be a Colorado resident; Be enrolled at least half-time in an eligible program, except during vacation periods between consecutive terms of enrollment;
- Show documented need. This criterion applies to at least 70 percent of work-based funds. The institution has the discretion to use up to 30 percent of work-based funds to award to students without regard to need.

~~5.04~~5.03 Professional Judgment

The state financial aid eligibility parameters are designed to apply to all financial aid recipients. This policy recognizes, however, that circumstances may exist in which the state financial aid parameters do not adequately address a particular student's situation. Financial aid administrators may exercise professional discretion on a case- by-case basis. The need for special treatment as well as the action taken must be adequately documented in the student's record.

TOPIC: PROPOSED REVISIONS TO CCHE POLICY VI F STATE-FUNDED STUDENT FINANCIAL AID TO INCLUDE CASFA AND HOUSE BILL 19-1196 PROCESSES

PREPARED BY: EMILY ORR, BUDGET/FIINANCIAL AID DIRECTOR

I. SUMMARY

This discussion item outlines proposed revisions to CCHE Policy VI, Part F: State-Funded Student Financial Aid Policies to codify new processes required as a result of the passage of HB 19-1196 and the implementation of a statewide financial aid application for undocumented students, commonly referred to as the CASFA (Colorado Application for State/Student Financial Aid).

II. BACKGROUND

Financial aid statutes found in Section 23-3.3-101 through 901, C.R.S., as well as 23-3.5-101 through 104 and 23-3.7-103 through 107 give CCHE substantial authority in the allocation and administration of state-funded financial aid. Commission policies govern the distribution of state financial aid awards; however, because financial aid packaging is decentralized, individual awards of student aid are made exclusively at the institutional level.

HB 19-1196 allows students who are classified as in-state for tuition classification purposes per Section 23-7-110, C.R.S. (ASSET students) to be newly eligible for state-funded financial aid awards. When HB 19-1196 was signed into law during the 2019 legislative session, Department staff worked with institutional staff to implement the legislation. In doing so, Department staff learned that the application processes by which institutional staff were assessing need for ASSET and other undocumented students varied greatly. Department and institutional staff determined that the best way to address the wide variety of needs assessment methodologies was to develop a uniform statewide application that mirrored the federal application (FAFSA) that citizen/documented students complete in order to be awarded state-funded financial aid.

In order to allow newly eligible ASSET students timely access to this new source of aid, Department and institutional staff agreed that, with the approval of the Commission, a temporary measure could be adopted to allow institutions to continue to use their existing applications and methodology to determine need for ASSET students while a statewide application was developed. If an institution did not have an existing application or needs-analysis methodology in place, there was an option to use the CTE Grant Needs-Analysis methodology (see Appendix B). The Commission approved this methodology at the June 2019 meeting.

The new online statewide financial aid application is live as of October 1, 2020. The Colorado Application for State Financial Aid (CASFA) allows students who are not eligible for Title IV (federal) aid to complete a financial aid needs-analysis that mirrors the methodology in the Free Application for Federal Student Aid (FAFSA). In this way, institutional financial aid offices are now able to equally compare the demonstrated need of a student who is eligible for Title IV aid (completing the FAFSA) and a student that is not (completing the CASFA).

This agenda item seeks Commission recognition of the CASFA as the official statewide

Discussion Item

application to be utilized by students who are not eligible for Title IV aid as well as Commission approval of confirming changes to the CCHE Policy VI, Part F: State-Funded Student Financial Aid Policies.

III. STAFF ANALYSIS

Staff has worked closely with institutional financial aid offices, community organizations, and the software provider to ensure that this application meets the needs of students and institutions, and will continue to work to ensure that the application and accompanying software are continuously improved as all involved parties gain a better understanding of the process in the first years of implementation.

IV. STAFF RECOMMENDATION

Staff recommends that the Commission take action on this item and approve the revisions to CCHE Policy VI, Part F: State-Funded Student Financial Aid Policies, see Appendix A.

V. STATUTORY AUTHORITY

C.R.S. §23-3.3 -101, 103; §23-3.3 401-501

ATTACHMENTS

Appendix A: Revised Policy
(forthcoming)

Attachment B: Agenda Item IV B
CCHE Meeting June 6, 2019: HB
19-1196 PROPOSED INTERIM
REVISIONS TO CCHE
POLICY VI, PART F: STATE
FUNDED FINANCIAL AID
POLICIES

**TOPIC: PROPOSED REVISIONS TO CCHE POLICY I, PART L:
STATEWIDE TRANSFER AND GT PATHWAYS POLICY**

**PREPARED BY: DR. CHRIS RASMUSSEN, SENIOR DIRECTOR OF ACADEMIC
PATHWAYS AND INNOVATION**

I. SUMMARY

This item presents for action minor changes to the Commission’s Statewide Transfer and GT Pathways policy to clarify that the GT Pathways curriculum is specific to lower-division courses, with the exception of the Advanced Written Communication (GT-CO3) sub-category of courses, which are usually classified at the 300/3000 level.

II. BACKGROUND

GT Pathways, or General Transfer Pathways, is Colorado’s statewide general studies transfer curriculum, which includes participation by every public college and university. The 2001 legislation that resulted in GT Pathways reflected two companion interests of the General Assembly:

- to create greater transparency for student transfer and minimize credit loss (articulated in §23-1-108.5), and
- to ensure that all students are provided with a general education wherein they “demonstrate competency in reading, critical thinking, written communications, mathematics, and technology” (articulated in §23-1-125(3)).

CRS §23-1-108.5 charged the Commission to “oversee the adoption of a statewide articulation matrix system of course numbering for general education courses” that “every student...must successfully complete to attain an associate’s or bachelor’s degree”. Statute also created the General Education Council (or “GE Council”), which was charged with developing and maintaining the articulation matrix. The Council—working closely with institutional faculty—developed content criteria and competencies (student learning outcomes) to guide institutions in mapping existing courses, and creating new courses, to align with the matrix. GT-Pathways courses are grouped into 6 broad categories, 14 sub-categories, and 10 competencies. The 31 required credits are distributed among the categories and sub-categories in a manner articulated by Commission policy.

Given that the curriculum framework was established to maximize transferability between and among two-year and four-year public institutions—and was designed such that “every student...must successfully complete to attain an associate’s or bachelor’s degree,” it has been broadly understood among institutional faculty and academic administrators that GT Pathways courses are to be 100/1000 and 200/2000 level only (courses designated as part of the lower-division curriculum, to be completed in the first or second year of study). The exception is for courses that are part of the Advanced Written Communication (CO3) sub-category, which are

often numbered in the 300/3000 range, and are a required curricular component for some bachelor's degree programs.

Occasionally, an institution will submit a 300/3000-level course (excluding GT-CO3 courses) for inclusion in GT Pathways. GE Council has discussed this matter on multiple occasions over the past several months and has requested that the Commission's GT Pathways policy be updated to codify the lower-division intention.

III. STAFF ANALYSIS

In addition to promoting maximum portability and transferability of courses, the general education curriculum is designed to develop students' foundational academic skills in writing, thinking, understanding, reasoning, and analysis. This development positions students for success in a deeper study of concepts in upper division courses. Courses in the curriculum are "sequenced" in a manner such that introductory knowledge and beginning-level skill development is emphasized through general education and other lower-division courses, with expanded knowledge and more advanced-level skill development promoted through upper-division courses. While learning and development is not fully linear, this sequencing or scaffolding of content and competencies is a foundational premise of most curricular design and pedagogy.

GE Council members have expressed concerns about courses being taken "out of sequence" wherein students are not sufficiently prepared for advanced study, or the advanced course falls short in developing foundational skills that are the *raison d'être* of general education. The sense of the council is that is the prerogative of institutions to designate certain upper division courses as fulfilling general education requirements for their own native students, but that only lower division courses are to be identified for statewide transfer as part of GT Pathways.

Guidance from the statutes listed below under "Statutory Authority" was used in developing proposed revisions to the policy. The following changes are proposed:

1. Section 3.00: Definitions

- a. In sub-section 3.02, updated language to define "core courses" as the "thirty-one credit *lower division* gtPathways curriculum".
- b. In sub-section 3.10, added text indicating that "institutions may designate certain upper division courses as fulfilling requirements in their general education curriculum, but only lower division courses can be identified as part of gtPathways, with the exception of courses designated as GT-CO3 (Advanced Written Communication), which are often numbered as 300/3000-level courses".
- c. In sub-section 3.11, revised the definition of "native student" for its specific use within the policy: "For the purposes of this policy, "native student" means a student at a Colorado public four-year institution who did not transfer from a Colorado community or local-district college."

- d. New sub-section 3.12 (with subsequent sub-sections renumbered) with definition of “prior learning assessment”, which hadn’t previously existed.
2. Section 5:00: Roles and Responsibilities
 - a. In sub-section 5.03.14, revise language on the use of prior learning assessment credit from “shall not prohibit students from meeting...requirements” to “shall not prohibit students from attempting to meet...requirements”. This preserves the prerogative of the faculty to assess prior learning and determine the equivalency of demonstrated knowledge and skills with the GT Pathways curriculum.
3. Sections 6:00: Other Statutory Provisions that Affect Transfer
 - a. In sub-section 6.04.02, revise language similarly to sub-section 5.03.14.

The proposed revisions were presented to both General Education Council and Academic Council in October, prior to the October 22 Commission meeting. The proposed revisions were brought back to the two councils at their November meetings.

IV. STAFF RECOMMENDATION

Staff recommends approval of the proposed revisions to CCHE Policy Section I, Part L: Statewide Transfer and GT Pathways Policy.

V. STATUTORY AUTHORITY

C.R.S. §23-1-108.5

Duties and powers of the commission with regard to common course numbering system – definitions - repeal

(1) The general assembly hereby finds that, for many students, the ability to transfer among all state-supported institutions of higher education is critical to their success in achieving a degree. The general assembly further finds that it is necessary for the state to have sound transfer policies that provide the broadest and simplest mechanisms feasible, while protecting the academic quality of the institutions of higher education and their undergraduate degree programs. The general assembly finds, therefore, that it is in the best interests of the state for the commission to oversee the adoption of a statewide articulation matrix system of course numbering for general education courses that includes all state-supported institutions of higher education and that will ensure that the quality of and requirements that pertain to general education courses are comparable and transferable systemwide.

...

(5) All credits earned by a student in any general education course identified as corresponding with a course included in the course numbering system shall be automatically transferable among all higher education institutions upon transfer and enrollment of the student. All higher education institutions in Colorado shall participate in the course numbering system. The commission shall adopt such policies and guidelines as may be necessary for the implementation of this section.

Each governing board shall modify its existing policies as may be necessary to accept the transfer of these credits.

...

C.R.S. §23-1-125

Commission directive – student bill of rights – degree requirements – implementation of core courses – competency test – prior learning

(1) **Student bill of rights.** The general assembly hereby finds that students enrolled in public institutions of higher education shall have the following rights:

...

(e) Students, upon completion of core general education courses, regardless of the delivery method, should have those courses satisfy the core course requirements of all Colorado public institutions of higher education;

(f) Students have a right to know if courses from one or more public higher education institutions satisfy the students' degree requirements;

...

(3) **Core courses.** The department, in consultation with each Colorado public institution of higher education, is directed to outline a plan to implement a core course concept that defines the general education course guidelines for all public institutions of higher education. The core of courses shall be designed to ensure that students demonstrate competency in reading, critical thinking, written communication, mathematics, and technology. The core of courses shall consist of at least thirty credit hours but shall not exceed forty credit hours. Individual institutions of higher education shall conform their own core course requirements with the guidelines developed by the department and shall identify the specific courses that meet the general education course guidelines. Any such guidelines developed by the department shall be submitted to the commission for its approval. In creating and adopting the guidelines, the department and the commission, in collaboration with the public institutions of higher education, may make allowances for baccalaureate programs that have additional degree requirements recognized by the commission. If a statewide matrix of core courses is adopted by the commission, the courses identified by the individual institutions as meeting the general education course guidelines shall be included in the matrix. The commission shall adopt such policies to ensure that institutions develop the most effective way to implement the transferability of core course credits.

...

ATTACHMENT

Attachment A: Proposed Revisions to CCHE Policy I, L: Statewide Transfer and GT Pathways Policy

SECTION I

PART L STATEWIDE TRANSFER AND GTPATHWAYS POLICY

1.00 Introduction

The Statewide Transfer and gtPathways Policy¹ pertains to the state general education courses, known as Guaranteed Transfer Pathways (gtPathways); Statewide Transfer Articulation Agreements; transfer of course credits from one higher education institution to another; intra-institutional transfer; and reverse transfer. The policy applies to most Colorado public higher education undergraduate degree programs.² The policy applies to student transfer from two-year to four-year institutions, four-year to four-year institutions, four-year to two-year institutions, two-year to two-year institutions, or within four-year institutions. This policy does not address transfer issues where the state has limited legal authority: the transfer of credits from private, non-accredited, or out-of-state institutions or the awarding of credit for non-credit bearing courses.

The policy is divided into the following sections:

- 1.00 Introduction
- 2.00 Statutory Authority
- 3.00 Definitions
- 4.00 Policy Goals
- 5.00 Roles and Responsibilities
- 6.00 Other Statutory Provisions that Affect Transfer
- 7.00 General Education and gtPathways Courses
- 8.00 Transfer Options for Students

2.00 Statutory Authority

This policy is based on the following Colorado Revised Statutes:

- 2.01 §23-1-108(7)(a), C.R.S. “The commission shall establish, after consultation with the governing boards of institutions, and enforce statewide degree transfer agreements between two-year and four-year state institutions of higher education and among four-year state institutions of higher education...”

¹ Additional resources related to gtPathways and transfer of courses are available online at <https://higherred.colorado.gov/Academics/Transfers/Students.html>.

² A listing of degrees that have been waived of gtPathways requirements can be found at <https://higherred.colorado.gov/Data/Degrees.aspx?gtp=no>, including all bachelor’s degrees at the Colorado School of Mines, and professional degrees at other public institutions subject to specialty accreditation criteria (e.g., nursing, engineering, business, music).

- 2.02 §23-1-108.5(1), C.R.S. “The general assembly finds, therefore, that it is in the best interests of the state for the commission to oversee the adoption of a statewide articulation matrix system of course numbering for general education courses that includes all state-supported institutions of higher education and that will ensure that the quality of and requirements that pertain to general education courses are comparable and transferable systemwide.”
- 2.03 §23-1-125 et seq., C.R.S. Commission directive – student bill of rights – degree requirements – implementation of core courses – competency testing – prior learning.
- 2.04 §23-1-125(3), C.R.S. “In creating and adopting the [gtPathways] guidelines, the department and the commission, in collaboration with the public institutions of higher education, may make allowances for baccalaureate programs that have additional degree requirements recognized by the commission.”
- 2.05 §23-1-131(3)(a), C.R.S. “The commission shall collaborate with the governing boards of the two-year and four-year institutions to develop and coordinate a process to notify students concerning eligibility for the award of an associate degree. The notification process shall apply to students at a four-year institution who have accumulated seventy credit hours at a four-year institution³ and who transferred to the institution after completing the residency requirements for an associate degree at a two-year institution.”
- 2.06 §23-5-122, C.R.S. “...the governing board of every state-supported institution of higher education shall have in place and enforce policies regarding transfers by students between undergraduate degree programs which are offered within the same institution or within the same institutional system.”
- 2.07 §23-60-802, C.R.S. Area technical colleges – credits – transfer.

3.00 Definitions

- 3.01 “Commission” means the Colorado Commission on Higher Education created pursuant to section Title 23, Article 1 of the Colorado Revised Statutes.
- 3.02 “Core courses” means the thirty-one credit **lower division** gtPathways curriculum to which “...Individual institutions of higher education shall conform their own core course requirements...” (i.e., general education requirements). “The core of courses shall be designed to ensure that students demonstrate competency in reading, critical thinking, written communication, mathematics, and technology. The core of courses shall consist of at least thirty credit hours but shall not exceed forty credit hours” [§23-1-125(3), C.R.S.].⁴

³ Note that statute has been interpreted to mean that students must have accumulated 70 credit hours in total, at all two- and four-year institutions attended, not just at a four-year institution.

⁴ Note that this does not apply to every degree program at every institution; §23-1-125(3) gives the Commission

- 3.03 “Course numbering system” means the common system of numbering used by all institutions for gtPathways courses, such as GT-CO1 for an introductory written communication course, GT-CO2 for an intermediate written communication course, GT-MA1 for a mathematics course, and so on, pursuant to §23-1-108.5(2)(b), C.R.S.
- 3.04 “Degree with Designation” means a two-year degree with academic designation in a particular discipline or interdisciplinary field, and that is part of a Statewide Transfer Articulation Agreement (with the exception of dental hygiene), as described in §23-60-211, C.R.S. A Degree with Designation is a 60-credit Associate of Arts or Associate of Science degree that includes the 31-credit GT Pathways curriculum, plus a collection of required and elective courses that provides students with a solid foundation for further study in a given discipline or program area. Exceptions to the 60-credit limit, and to the GT Pathways requirement, may be made by the Commission to facilitate transfer in certain disciplines or fields, including where the associated bachelor’s degree program has received a waiver from the 120-credit cap and/or GT Pathways curriculum requirements.
- 3.05 “Department” means the Colorado Department of Higher Education created and existing pursuant to section §24-1-114, C.R.S.
- 3.06 “GE Council” means the General Education Council convened pursuant to §23-1-108.5(3)(a), C.R.S.
- 3.07 “gtPathways” means guaranteed transfer pathways as described in §23-1-108.5 and §23-1-125(3), C.R.S.
- 3.08 “gtPathways content criteria” means the sets of criteria for the six content areas that make up the gtPathways curriculum: 1) written communication, 2) mathematics, 3) arts and humanities, 4) social and behavioral sciences, 5) history and 6) natural and physical sciences.⁵
- 3.09 “gtPathways competency criteria” means the ten competencies embedded in the gtPathways content criteria in which students must demonstrate proficiency: 1) civic engagement, 2) creative thinking, 3) critical thinking, 4) diversity & global learning, 5) information literacy, 6) inquiry & analysis, 7) oral/presentational communication, 8) problem solving, 9) quantitative literacy, and 10) written communication, pursuant to §23-1-125(3), C.R.S.⁶

authority to “...make allowance for baccalaureate programs that have additional degree requirements...” A list of degrees that have been waived of gtPathways requirements is maintained on the Department’s website at <https://higherred.colorado.gov/Data/Degrees.aspx?gtp=no>.

⁵ Available on the Department’s website at <http://higherred.colorado.gov/Academics/Transfers/>

⁶ Available on the Department’s website at <http://higherred.colorado.gov/Academics/Transfers/>

3.10 “General education courses’ means the group of courses offered by an institution of higher education that every student enrolled in the institution must successfully complete to attain an associate’s or bachelor’s degree” [§23-1-108.5(2)(c), C.R.S.] and that meet the requirements of §23-1-125(3), C.R.S. It should be noted that besides a general education core, degrees also have major, elective and other requirements (see Table 1 under section 7.00). It should also be noted that general education requirements may differ between degree programs at the same institution and that some degree programs at some institutions have received waivers from the Commission not to have to include the 31 credit gtPathways curriculum in the general education cores for some baccalaureate degrees.⁷ Institutions may designate certain upper division courses as fulfilling requirements in their general education curriculum, but only lower division courses can be identified as part of gtPathways, with the exception of courses designated as GT-CO3 (Advanced Written Communication), which are often numbered as 300/3000-level courses.

3.11 For the purposes of this policy, “Native student” means a student at a Colorado public four-year institution who did not transfer from a Colorado community or local-district college. begins and completes an undergraduate degree program at a single institution of higher education.

3.12 “Prior Learning Assessment” is the evaluation—using approved practices—of learning that occurs outside of the institution where a student is enrolled or may enroll. Learning can be demonstrated by a student through achieving a certain score on a national exam; through achieving a certain score or rating on an institutionally-devised exam or other assessment; through performance in a course taken at another institution; through completion of certain military training, education, and occupational programs; and through work products and other professional achievements included in a student’s portfolio.

3.123 “Reverse Transfer” means the process whereby a student who begins his or her postsecondary education at a two-year institution and transfers to a four-year institution prior to receiving an associate degree, or who has left the four-year institution prior to completing a bachelor’s degree, and has accumulated at least 70 credits and completed the residency requirements at the two-year institution, may be eligible to receive an associate of arts or associate of science degree.

3.134 “Statewide Transfer Articulation Agreement” means a transfer agreement between two-year and four-year state institutions of higher education and among four-year institutions, which includes provisions under which state institutions of higher education shall accept all credit hours of acceptable course work for automatic transfer from an associate of arts or associate of science Degree with Designation, pursuant to §23-1-108(7)(a), C.R.S. Further guidance is found in 23-1-

⁷ A list of degrees that have been waived of gtPathways requirements is maintained on the Department’s website at <https://higher.ed.colorado.gov/Data/Degrees.aspx?gtp=no>.

108(7)(g)(III), C.R.S., which defines a Statewide Transfer Articulation Agreement as a “Statewide degree transfer agreement,” which “...means an agreement among all of the state institutions of higher education for the transfer of an associate of arts or an associate of science degree. A statewide degree transfer agreement applies to common degree programs and specifies the common terms, conditions, and expectations for students enrolled in statewide degree transfer programs.”

3.145 “Transfer” means transferring the credit for courses taken at one institution of higher education to another. It is important to note that while most coursework can transfer, not all credit can be applied to a student’s chosen major. That is, the receiving institution will usually *accept coursework in transfer* and list those courses on the student’s transcript but may not be able to *apply the credit* for those courses to any of the requirements in the student’s degree program.

3.156 “Transfer Student” means a student entering the reporting institution for the first time but known to have previously attended a postsecondary institution at the same level (e.g. undergraduate, graduate) after high school graduation (or passing an equivalency exam). The student may transfer with or without credit. This excludes students who completed remedial coursework and students who completed college-level coursework as a high school student through Concurrent Enrollment or as their homeschool curriculum.

4.00 Policy Goals

The policy goals are to provide guidance on each entity’s role in the implementation of:

4.01 gtPathways, “that includes all state-supported institutions of higher education and that will ensure that the quality of and requirements that pertain to general education courses are comparable⁸ and transferable system wide,” [§23-1-108.5(1), C.R.S.]; and

4.02 The Student Bill of Rights, which states that:

4.02.01 “(a) Students should be able to complete their associate of arts and associate of science degree programs in no more than sixty credit hours or their baccalaureate programs in no more than one hundred twenty credit hours unless there are additional degree requirements recognized by the commission;”⁹

⁸ It should be noted that gtPathways is not about course equivalencies and that “comparable” does not mean “equivalent.” That is, gtPathways are guaranteed to meet gtPathways requirements of most Liberal Arts & Sciences degrees but may not meet other general education or major requirements of degrees that received waivers because those degrees have additional requirements.

⁹ At its April 1, 2004 meeting, the Commission granted waivers to exceed the 120 credit cap to the following degree programs (new credit limits in parentheses): nursing (126 cr.); teacher preparation (126 cr. with the stipulation that students can complete the program in 4-years); engineering, engineering technology, computer science and related programs (exempt from the 120 credit limit but with the stipulation that all programs must “guarantee that students will be able to complete the program requirements in 4 years”); all degree programs at Colorado School of Mines

- 4.02.02 “(b) A student can sign a two-year or four-year graduation agreement that formalizes a plan for that student to obtain a degree in two or four years, unless there are additional degree requirements recognized by the commission;”
- 4.02.03 “(c) Students have a right to clear and concise information concerning which courses must be completed successfully to complete their degrees;”
- 4.02.04 “(d) Students have a right to know which courses are transferable among the state public two-year and four-year institutions of higher education;”
- 4.02.05 “(e) Students, upon successful completion of core general education courses, regardless of the delivery method, should have those courses satisfy the core course requirements of all Colorado public institutions of higher education;”
- 4.02.06 “(f) Students have a right to know if courses from one or more public higher education institutions satisfy the students’ degree requirements;”
- 4.02.07 “(g) A student’s credit for the completion of the core requirements and core courses shall not expire for ten years from the date of initial enrollment and shall be transferable.” [§23-1-125(1), C.R.S.]

5.00 Roles and Responsibilities

5.01 Students

Students are responsible to act in their own best academic interests and to seek the information necessary for making informed transfer choices, including:

- 5.01.01 Contacting academic advisors at both the sending and receiving institutions to understand the limitations on transfer;
- 5.01.02 Checking with the receiving institution for the availability of Statewide Transfer Articulation Agreements, Transfer Guides, other inter-institutional transfer agreements that may exist, and graduation requirements of the institution and the degree program into which the student hopes to transfer;
- 5.01.03 Understanding the limits in applying transfer credits within general education, major requirements, and elective categories for the institution and degree program into which the student hopes to transfer; and

(exempt from the 120 credit limit); and landscape architecture at CSU (132 cr.). At its June 4, 2009 meeting, the Commission approved a credit waiver of 138 credits and lifted the 4-year graduation agreement requirement for all science teacher preparation programs.

- 5.01.04 Filing an appeal with the institution in a timely manner to resolve transfer disputes.

5.02 Governing Boards of Public Institutions or Systems

All Governing Boards of public institutions or systems:

- 5.02.01 “...shall implement the statewide degree transfer agreements and the commission policies relating to the statewide degree transfer agreements.” [23-1-108(7)(a), C.R.S.]
- 5.02.02 “...shall implement the [student transfer] agreements [between degree programs offered on the same campus or within the same institutional system] and commission policies relating to the agreements.” [23-1-108(7)(f), C.R.S.]
- 5.02.03 “...shall modify its existing policies as may be necessary to accept the transfer of these [gtPathways course] credits.” [23-1-108.5(5), C.R.S.]
- 5.02.04 “...shall have in place and enforce policies regarding transfers by students between undergraduate degree programs which are offered within the same institution or within the same institutional system. Such policies shall include, but shall not be limited to, the following provisions:
- (a) If, not more than ten years prior to transferring into an undergraduate degree program, a student earns credit hours which are required for graduation from such undergraduate degree program, such credit hours shall apply to the completion of such student's graduation requirements from such undergraduate degree program following such transfer;
- (b) A student who transfers into an undergraduate degree program shall not be required to complete a greater number of credit hours in those courses which are required for graduation from such undergraduate degree program than are required of students who began in such undergraduate degree program, nor shall there be any minimum number of credit hours required post-transfer other than the normal degree requirements for non-transferring students; and
- (c) The grade point average which is required for a student to apply for and be fully considered for transfer into an undergraduate degree program shall be no higher than that which is required for graduation from such undergraduate degree program.” [23-5-122(1), C.R.S.]
- 5.02.05 “...shall adopt policies to ensure that, if a student completes a program of study at an area technical college and subsequently enrolls in an

institution within the state system of community and technical colleges, or transfers from an area technical college to an institution within the state system of community and technical colleges, any postsecondary course credits earned by the student while enrolled in the area technical college will apply in full at another area technical college or to an appropriate program leading to a certificate or to an associate degree at a community or technical college. Postsecondary credits earned by a student at an area technical college may be transferred into an associate degree program at a community college or into a degree program at a four-year institution of higher education as provided in section 23-1-108(7) and the state credit transfer policies established by the Colorado commission on higher education.” [23-60-802, C.R.S.]¹⁰

5.03 Public Institutions of Higher Education

All public institutions:

- 5.03.01 Shall publish the Student Bill of Rights [23-1-125(1)(a-g), C.R.S.] in course catalogs and advising centers.
- 5.03.02 Shall honor the Student Bill of Rights.
- 5.03.03 Shall comply with “...the intent of the general assembly that academic degree programs at state-supported institutions of higher education be designed and implemented to assure and emphasize that undergraduate students have the maximum range of opportunities and assistance to complete their course of study and obtain their degree in a reasonable amount of time.” [23-1-108(13)(a), C.R.S.]
- 5.03.04 “...shall review its course offerings and identify those general education courses offered by the institution that correspond with the courses included in the course numbering system. The higher education institution shall submit its list of identified courses, including course descriptions and, upon request of the commission, summaries of course syllabi, for review and approval by the commission on or before March 1, 2003.” [23-1-108.5(4)(a), C.R.S.]¹¹
- 5.03.05 “...shall publish, and update as necessary, a list of course offerings that identifies those general education courses offered by the institution that correspond with the courses included in the course numbering system.” [23-

¹⁰ Community colleges and 4-year institutions may accept credits earned from an area technical college as long as that school is accredited to offer the credit. Area technical colleges are not accredited to offer general education (gtPathways). As of February 7, 2019, the three area technical colleges in Colorado are Emily Griffith Technical College (Denver), Pickens Technical College (Aurora), and Technical College of the Rockies (Delta; formerly Delta-Montrose Technical College).

¹¹ This process was completed.

1-108.5(4)(b), C.R.S.]

- 5.03.06 "...shall participate in the course numbering system." [23-1-108.5(5), C.R.S.]
- 5.03.07 Shall develop effective transfer advising systems, including but not limited to, training faculty and academic advisors, providing freshman students with planning information, and providing transfer students with appeals information.
- 5.03.08 Shall develop advising partnerships among all four-year and two-year public institutions to jointly advise students.
- 5.03.09 "...shall implement the [student transfer] agreements [between degree programs offered on the same campus or within the same institutional system] and commission policies relating to the agreements." [23-1-108(7)(f), C.R.S.]
- 5.03.10 "...shall implement the statewide degree transfer agreements and the commission policies relating to the statewide degree transfer agreements." [23-1-108(7)(a), C.R.S.]
- 5.03.11 "...shall conform their own core course requirements with the guidelines developed by the department and shall identify the specific courses that meet the general education course guidelines." [23-1-125(3), C.R.S.]
- 5.03.12 "...shall grant full course credits to students for the core courses they successfully test out of, free of tuition for those courses." [23-1-125(4), C.R.S.]
- 5.03.13 "...shall adopt and make public a policy or program to determine academic credit for prior learning." [23-1-125(4.5), C.R.S.]
- 5.03.14 Shall accept in transfer from within the institution and from other state institutions of higher education prior learning assessment credit awarded for GT Pathways requirements and shall not prohibit students from attempting to meeting general education/GT Pathways requirements with prior learning assessment credit.
- 5.03.15 To approve degrees with designation, the Colorado Community College System shall "...submit the degree program designation to the board for its review and approval. The community college may offer the degree program only after it has been approved by the board and by the Colorado commission on higher education. The community college shall exclusively use the degree program designation name in official publications, course catalogs, diplomas, and official transcripts" [23-60-211(1), C.R.S.] and Colorado Mountain College and Aims Community College shall "...submit the degree program designation to the board of trustees for its review and approval. The local district college may offer the degree program only after it has been approved

by the board of trustees and by the Colorado commission on higher education.¹² The local district college shall exclusively use the degree program designation name in official publications, course catalogs, diplomas, and official transcripts” [23-71-123(3), C.R.S.].¹³

- 5.03.16 “...should work in collaboration with the commission to develop a process that reduces a potential barrier to degree completion by providing students with information about the student’s eligibility for an associate degree” [23-1-131(1)(b)]. “The two-year and four-year institutions shall agree upon the contents of the notification to eligible students. At a minimum, the notification shall include the requirements for the degree audit by the two-year institution and information concerning the process for a student to be awarded an associate degree in the future if the degree requirements are not met or the student declines the associate degree at the time of the notification” [23-1-131(3)(b), C.R.S.]. “Each two-year and four-year institution shall provide students with information concerning the process developed pursuant to this section” 23-1-131(4), C.R.S.].

5.04 Participating Private Institutions of Higher Education

Private institutions of higher education may choose to participate in gtPathways, provided an institution meets the statutory criteria outlined in 23-1-125(5)(e), C.R.S., including accreditation by an accrediting agency or association approved by the United States Department of Education; provision of an educational program for which it awards a bachelor’s degree or a graduate degree; and determination by the United States Department of Education to be eligible to administer federal financial aid programs pursuant to Title IV of the federal Higher Education Act of 1965, as amended. Participation by private institutions of higher education in gtPathways may include conforming their general education curricula to include the gtPathways curriculum; being guaranteed their approved gtPathways courses will transfer to all public and other participating nonpublic institutions, and agreeing to accept in transfer and apply credit for gtPathways courses from other participating nonpublic and public institutions of higher education, pursuant to §23-1-125(5), C.R.S.

5.05 Colorado Commission on Higher Education

The Commission, with the Colorado Department of Higher Education acting as its staff:

¹² Refer to CCHE Policy I, V for more information on approval of new degree programs.

¹³ GE Council agreed that if a two-year institution is unable to offer all coursework required for a Statewide Transfer Articulation Agreement, that institution should not offer the corresponding Degree with Designation.

- 5.05.01 “...shall establish, after consultation with the governing boards of institutions, and enforce statewide degree transfer agreements between two-year and four-year state institutions of higher education and among four-year state institutions of higher education.” [23-1-108(7)(a), C.R.S.]
- 5.05.02 “...shall establish and enforce student transfer agreements between degree programs offered on the same campus or within the same institutional system.” [23-1-108(7)(f), C.R.S.]
- 5.05.03 Shall, “...within existing resources, ...implement and revise appropriate policies, including financial incentives, to assure that students at state-supported institutions of higher education complete their academic degree programs in the most efficient, effective, and productive manner. The policy implementation and review shall include:
- (I) Academic advising and counseling at such institutions and consideration of methods for the improvement of early and continuous availability of such academic advising and counseling in order to assist students with the completion of degree programs;
 - (II) The frequency and availability of courses essential to completion of degree programs at such institutions and evaluation of what changes may be necessary to assure that the course scheduling for degree programs by such institutions maximizes the opportunities for students to complete their course of study efficiently, effectively, and productively;
 - (III) Measures for minimizing and eliminating the restrictions against automatic transfer of credit hours of acceptable course work between such institutions and whether the provisions of transfer agreements between two-year and four-year institutions and among four-year institutions entered into pursuant to subsection (7) of this section are directed at easing such transfer restrictions;
 - (IV) Methods for minimizing the loss of credit hours when a student changes degree programs at such institution and assurance that such credit hours are transferred or substituted for appropriate course work in the other degree program;
 - (V) The review of possible solutions for access of nontraditional and part-time students to complete programs within the student's time frame goals;
 - (VI) What effect, if any, the reduction of degree programs would have on the increased availability of classes within existing degree programs;

(VII) What effect increases in educational costs may have on the average length of time for a student to complete a degree program; and

(VIII) The implementation of core curricula as a measure for assisting students to graduate.” [§23-1-108(13)(a), C.R.S.]

- 5.05.04 “...shall oversee the adoption of a statewide articulation matrix system of course numbering for general education courses that includes all state-supported institutions of higher education and that will ensure that the quality of and requirements that pertain to general education courses are comparable and transferable system wide.” [23-1-108.5(1), C.R.S.]
- 5.05.05 Consider for approval gtPathways courses recommended by GE Council, pursuant to §23-1-108.5(3), C.R.S.
- 5.05.06 “...shall consult with the governing boards when convening representatives from the higher education institutions [to serve on GE Council].” [23-1-108.5(3)(a), C.R.S.]
- 5.01.07 “...shall review the [GE] council's recommendations and adopt a statewide articulation matrix system of common course numbering for general education courses, including criteria for such courses...” [23-1-108.5(3)(c)(I), C.R.S.]
- 5.05.08 “...shall adopt and implement such procedures [recommended by GE Council to document students’ success in transferring among higher education institutions].” [23-1-108.5(6)(a), C.R.S.]
- 5.05.09 “...in consultation with the governing boards and the higher education institutions, shall design and implement a statewide database to [document students’ success in transferring among higher education institutions].” [23-1-108.5(6)(b), C.R.S.]
- 5.05.10 Resolve student complaints regarding the requirements of this policy, pursuant to CCHE Policy I, T Student Complaint Policy. “The Commission shall have final authority in resolving transfer disputes.” [23-1-108(7)(a), C.R.S.]

- 5.05.11 “...shall adopt such policies to ensure that institutions develop the most effective way to implement the transferability of core course credits.” [23-1-125(3) C.R.S.]

5.06 General Education (GE) Council

The GE Council:

- 5.06.01 “...shall create a process through which it shall seek input from and consult with various higher education student organizations for each articulation agreement and for the review of general education courses and the course numbering system as required in [23-1-108.5(3)(c)].” [23-1-108.5(3)(a), C.R.S.]
- 5.06.02 “...shall recommend to the commission a statewide articulation matrix system of common course numbering to which the general education courses for each higher education institution may be mapped.” [23-1-108.5(3)(b), C.R.S.]¹⁴
- 5.06.03 “...shall recommend to the commission a list of general education courses to be included in the course numbering system. In identifying said general education courses, the council shall review the course descriptions, and may request summaries of course syllabi for review, focusing first on lower division general education courses.” [23-1-108.5(3)(c)(I), C.R.S.]¹⁵
- 5.06.04 “...shall annually review the list of general education courses and the course numbering system, including the criteria, adopted by the commission and recommend such changes as may be necessary to maintain the accuracy and integrity of the course numbering system. The council's annual review shall include consideration of the course descriptions, and the council may request summaries of course syllabi for further review.” [23-1-108.5(3)(c)(II), C.R.S.]¹⁶
- 5.06.05 “...shall devise and recommend to the commission procedures for exchanging information to document students’ success in transferring among higher education institutions.” [23-1-108.5(6)(a), C.R.S.]
- 5.06.06 Shall act as their respective institutions’ liaisons to assist the Department in the creation and adoption of statewide transfer articulation agreements; the review of proposed gtPathways courses; train academic advisors on the

¹⁴ This process was completed and the common course numbering system for gtPathways courses is linked on the Department’s website at <http://higherred.colorado.gov/Academics/Transfers/gtPathways/curriculum.html>.

¹⁵ This process was completed per initial requirements of H.B. 01-1298 (the “Berry Bill”) and is ongoing.

¹⁶ Standard practice has been that gtPathways courses continue to carry that designation unless the institution chooses to withdraw the course from general education, the course is not offered within a two-year period, or evaluations indicate that a course does not meet the state content and competency criteria, which are linked on the Department’s website at <http://higherred.colorado.gov/Academics/Transfers/>.

requirements of this policy; and provide guidance to the Department in the resolution of transfer student disputes.

6.00 Other Statutory Provisions that Affect Transfer

6.01 Credit cap for degrees.

6.01.01 “Students should be able to complete their associate of arts and associate of science degree programs in no more than sixty credit hours or their baccalaureate programs in no more than one hundred twenty credit hours unless there are additional degree requirements recognized by the commission” [23-1-125(1)(a), C.R.S.]; and

6.01.02 “The commission shall establish a standard of a one-hundred-twenty-hour baccalaureate degree, not including specified professional degree programs that have additional degree requirements recognized by the commission” [23-1-125(2), C.R.S.]¹⁷

6.02 Course/credit limitations and requirements: transfer students and native students.

6.02.01 “A state institution of higher education that admits as a junior a student who holds an associate of arts degree, associate of applied science degree, or associate of science degree that is the subject of a statewide degree transfer agreement shall not require the student to complete any additional courses to fulfill general education requirements” [23-1-108(7)(b)(II)(A), C.R.S.]; and

6.02.02 “A student who transfers under a statewide degree transfer agreement may be required to complete lower-division courses that are part of the major, but are not part of the statewide degree transfer agreement, if taking the courses does not require the transfer student to take more total credit hours to receive the degree than a native student and does not extend the total time required to receive the degree beyond that required for a native student”¹⁸ [23-1-108(7)(b)(II)(A), C.R.S.]; and

6.02.03 “A state institution of higher education...is responsible for the total cost of tuition, without participation by the student in the college opportunity fund...for any credit hours that exceed the total credit hours required for a native student or that extend the total time to

¹⁷See earlier footnote on Commission waivers to institutions to exceed the 120 credit cap for certain degree programs.

¹⁸ “Total time to receive the degree” presumes that the transfer student and the native student demonstrate substantially similar enrollment patterns in the same program of study.

receive the degree beyond that required for a native student” [23-1-108(7)(b)(II)(A), C.R.S.].

6.03 Competency testing.

- 6.03.01 “...the commission shall, in consultation with each public institution of higher education, define a process for students to test out of core courses, including specifying use of a national test or the criteria for approving institutionally devised tests. Beginning in the 2010-11 academic year, each public institution of higher education shall grant full course credits to students for the core courses they successfully test out of, free of tuition for those courses.” [23-1-125(4), C.R.S.]
- 6.03.02 Standard practice is that institutions do not have to allow students to test out of every core course but there must be a means to test out of every gtPathways category (e.g., GT-CO1, GT-MA1, and so on).
- 6.03.03 Institutions may choose the assessment instruments. Portfolio review and prior learning assessment are allowable instruments.

6.04 Credit for prior learning.

- 6.04.01 “...each public institution of higher education shall adopt and make public a policy or program to determine academic credit for prior learning.” [23-1-125(4.5), C.R.S.]
- 6.04.02 Institutions shall accept in transfer from within the institution and from other state institutions of higher education prior learning assessment credit awarded for GT Pathways requirements and shall not prohibit students from attempting to meeting general education/GT Pathways requirements with prior learning assessment credit.

7.00 General Education and gtPathways Curriculum

The gtPathways curriculum is the core of the general education requirements of most Liberal Arts & Sciences bachelor’s degrees. This takes some of the guesswork out of transfer because gtPathways courses, in which the student earned a C- or higher, will always transfer¹⁹ and the

¹⁹ Transfer of credit means the receiving institution notes on its own transcript the credit earned at another institution. Credits that transfer do not reduce time to degree completion unless they are applied to degree requirements at the receiving institution.

credit will apply²⁰ to gtPathways requirements in every Liberal Arts & Sciences bachelor's degree at every public Colorado institution. Depending on the bachelor's degree, gtPathways course credit may also be applied to major and elective requirements at the receiving institution's discretion. gtPathways courses taken beyond the required 31-credit gtPathways curriculum will transfer (and be listed on the student's transcript) but the credit is not guaranteed to apply to general education or major requirements or to electives (or count towards the 120 required credits for the bachelor's degree). Table 1 below highlights where gtPathways courses fit in a bachelor's degree.

Table 1: The Parts of a Bachelor's Degree

<p>Bachelor's Degree (usually 120 credits)</p> <p>Examples: Bachelor of Arts Bachelor of Science</p>	<p>General Education Requirements, includes:</p> <ul style="list-style-type: none"> gtPathways (31 credits) and/or other courses specified by the institution or major department, not to exceed 40 credits²¹
	<p>Major Requirements (number of credits varies)</p> <p>Examples:</p> <ul style="list-style-type: none"> Biology English Political Science
	<p>Electives (number of credits varies)</p>
	<p>Other graduation requirements</p>

As shown in Table 2 below, the gtPathways curriculum is organized into six categories: 1) written communication, 2) mathematics, 3) arts and humanities, 4) history, 5) social and behavioral sciences, and 6) natural and physical sciences, and several sub-categories.

Table 2: gtPathways Curriculum

Semester Credit Hours	gtPathways Curriculum
6	<p>Written Communication:</p> <p>GT-CO1: Introductory Writing course (minimum 3 credits)</p> <p>GT-CO2: Intermediate Writing course (minimum 3 credits)</p> <p>GT-CO3: Advanced Writing Course (minimum 3 credits)</p> <p>*Students may take GT-CO1 and GT-CO2 or they may take GT-CO2 and GT-CO3.</p>
3	

²⁰ Application of credit means the receiving institution applies credit earned at another institution to its own degree requirements, whether as general education, major requirements, or electives. Application of credit to degree requirements reduces time to degree completion.

²¹ §Per 23-1-125(3), C.R.S.

	Mathematics: GT-MA1 (minimum 3 credits)
15	Arts & Humanities – 2 courses (minimum 6 credits); courses can be from different sub-categories or from the same sub-category: GT-AH1: Arts and Expression GT-AH2: Literature and Humanities GT-AH3: Ways of Thinking GT-AH4: World Languages (must be 200 level) History – 1 course (minimum 3 credits) GT-HI1 Social and Behavioral Sciences – 1 course (minimum 3 credits) GT-SS1: Economic or Political Systems GT-SS2: Geography GT-SS3: Human Behavior, Culture, or Social Frameworks *Students must select one more course from any of the above categories/sub-categories to equal at least 15 credits. (Multiple courses from the same sub-category are allowed.)
7	Natural and Physical Sciences – 2 courses, at least one of which must be GT-SC1 GT-SC1: Course with Required Laboratory GT-SC2: Lecture Course without Required Laboratory
31	TOTAL MINIMUM CREDITS

To complete the gtPathways curriculum, students are required to complete the minimum 31 semester credit hours and earn a C- grade or better in each course. The guarantee of applicability of credit of gtPathways coursework to the receiving institution's general education requirements is limited to the minimum number of semester credit hours in each category. So, for instance, if a student takes two GT-MA1 courses and then transfers, the receiving institution must apply only one of the GT-MA1 courses. The remaining GT-MA1 course may be applied to major or elective credit at the discretion of the institution.

7.01 Limitations to gtPathways

Students and academic advisors should note that not all of a degree's general education courses may be gtPathways approved. Courses that are gtPathways approved are designated as such in each institution's Course Catalog. Generally speaking, as long as a student does not take more general education courses than are required for his or her degree or change his or her major, then

gtPathways courses completed at one public or participating private institution with a C- or better shall be applied to the degree's general education requirements or the requirements of the declared major at the receiving institution, given that the degree's general education core contains gtPathways courses. These limitations are explained below in more detail.

7.01.01 Limitation #1: Not All Degrees Contain the gtPathways Curriculum.

Some degrees do not contain the gtPathways curriculum in whole or in part. These degrees have waivers from the Commission not to have to include gtPathways in their general education cores.²² It should be noted that although the general education cores of these degrees do not contain the gtPathways curriculum, they are still in line with the general education course guidelines in §23-1-125(3), C.R.S. That is, they are "...designed to ensure that students demonstrate competency in reading, critical thinking, written communication, mathematics, and technology". It is also important to note that institutions are still required to accept gtPathways courses in transfer and apply the credit when these degrees contain gtPathways courses in their general education cores. Since not every degree contains the gtPathways curriculum, this has several implications for students who will, or believe they may, transfer:

1. The gtPathways curriculum will satisfy at least 31 credits of general education requirements in most degrees, but not all degrees.
2. If the bachelor's degree into which the student intends to transfer contains the gtPathways curriculum, or an academic advisor for that degree affirms that the student's gtPathways courses will apply to major or elective requirements, then gtPathways courses are a good choice for that student.
3. If the degree does not contain the gtPathways curriculum, and the academic advisor indicates that none or few gtPathways courses will apply to the degree requirements, then the student should be advised that, although all coursework will *transfer*, it may not *apply* so it won't get the student closer to completing the bachelor's degree. Early transfer may be a good option in these instances.

7.01.02 Limitation #2: Similarly Named Courses May Not Be Equivalent.

It is important to note that gtPathways courses are not based on course equivalencies but meet content and competency criteria. Same or similarly-named gtPathways courses at different institutions are not guaranteed to be equivalent to one another. Students should not presume that because they took a gtPathways course at one institution that the same or similarly-named gtPathways course at a different institution contains the same material. This is important because receiving institutions will sometimes advise students to take a course at their institution that has the same or similar name to a course they previously took at a different institution. Institutions advise students to do this when it has been determined that the student's previous coursework has not prepared them for subsequent coursework at the receiving institution. All gtPathways courses that are a part of the degree's general education will still transfer and apply to general education requirements.

²² A list of degrees that have been waived of gtPathways requirements is maintained on the Department's website at <https://higherred.colorado.gov/Data/Degrees.aspx?gtp=no>.

7.02 Waivers of gtPathways Curriculum Requirements

Per §23-1-125(3), C.R.S., the Commission “may make allowances for baccalaureate programs that have additional degree requirements recognized by the commission”, thereby enabling institutions to develop academic programs that do not contain the full gtPathways curriculum. Institutions that seek a waiver from gtPathways curriculum requirements for a particular academic program must submit a formal request to the Department that includes responses to the following questions:

1. Why it is important that a gtPathways waiver be granted for this program (address the nature of the degree relative to the profession, if applicable, including work pathways for students entering the program)?
2. Which specific components of the gtPathways curriculum are requested to be waived or modified?
3. How will the institution ensure that the program includes a “core of courses” that provide a general education through which “students demonstrate competency in reading, critical thinking, written communications, mathematics, and technology”, as articulated in Colorado Revised Statutes 23-1-125(3)? How will the general education provided respond to the 10 competencies of the gtPathways curriculum?
4. What additional degree requirements, such as those associated with accreditation and licensure, make it impossible to include the full gtPathways in the program curriculum?
5. How will the absence of a gtPathways waiver potentially harm students (if, for example, it extends the time to degree beyond four years, or results in certain critical courses being left out of a program)?
6. How will the institution ensure that the gtPathways waiver will not create barriers to student transfer?

Upon receipt of an institutional request for a gtPathways waiver, Department staff will place the request on the agenda of an upcoming meeting of the General Education Council and invite institutional representatives to attend the meeting to answer questions. The General Education Council may offer a recommendation to the Department based on information provided by the requesting institution. Department staff will then determine whether to recommend to the Commission 1) a full/blanket waiver of gtPathways curriculum requirements; 2) a modified/limited waiver; or 3) no waiver. In the event a modified/limited waiver is recommended by staff and approved by the Commission, the staff would enter into a Memorandum of Understanding with the institution or system to include details on the parameters of the curriculum variation, the waiver duration, and the verification process.

8.00 Transfer Options for Students

The following parts of this Section 8.00 describe the options for students to transfer coursework among Colorado’s public and participating private institutions of higher education. To be effective, these transfer options require institutions of higher education to advise students on which courses are most appropriate for their intended major programs of study. Also, students need to consult with their academic advisors when registering for courses to make informed decisions if planning

to transfer to another institution. Informed decision-making is the best strategy for successfully transferring coursework among institutions and ensuring this policy's effectiveness.

8.01 Transfer of gtPathways Courses

When evaluating a transfer student's transcript, each public higher education institution will apply gtPathways credits to its general education requirements (where the degree's general education core contains gtPathways courses), subject to the limitations listed above. In some cases, an institution, at its own discretion, may apply gtPathways courses to both general education and major requirements. Receiving institutions may not require students to demonstrate that the gtPathways courses they took at another institution adequately prepared the student for subsequent coursework at the receiving institution.

8.02 Statewide Transfer Articulation Agreements

A Statewide Transfer Articulation Agreement (STAA) is an agreement among Colorado community colleges, junior colleges and four-year public institutions that offer a degree program in common, such as a Bachelor of Arts in History. Statewide Transfer Articulation Agreements allow students to:

- 8.02.01 Graduate from a two-year institution with a 60-credit Associate of Arts (A.A.) or Associate of Science (A.S.) Degree with Designation, such as an Associate of Arts in Business [§23-60-211 and §23-71-123(3), C.R.S.]. Exceptions to the 60-credit limit may be made by the Commission to facilitate transfer in certain disciplines or fields, including where the associated bachelor's degree program has received a waiver from the 120-credit cap and/or GT Pathways curriculum requirements.
- 8.02.02 Enroll, with junior status, at a 4-year institution if the student successfully completes the A.A. or A.S. degree that is the subject of the Statewide Transfer Articulation Agreement. It is important to note, however, that successful completion of the A.A. or A.S. degree does not guarantee admission into the four-year institution or the degree program at the four-year institution [§23-1-108(7)(b)(I), C.R.S.]. Students should always seek advising from the appropriate advisor at their two-year institution and the four-year institution into which they plan to transfer.
- 8.02.03 Complete the bachelor's degree in no more than 60 additional credits at the receiving four-year institution (for a total of 120 credits) [§23-1-108(7)(b)(II), C.R.S.], except where the degree program has received a waiver from the Commission to exceed 120 credits [§23-1-125(1)(b), C.R.S.].

Statewide Transfer Articulation Agreements and other Degree Transfer Agreements are listed on the Department's website at <http://higher.colorado.gov/Academics/Transfers/>

8.03 Institutional Transfer Guides

Institutional Transfer Guides ensure that a student who completes an A.A. or A.S. degree with a grade of C- or better in all courses will have at least 60 credits of his or her A.A. or A.S. degree applied to the bachelor's degree requirements at the receiving institution and the students will be granted junior status if admitted. Because most liberal arts and sciences degrees are designed to be completed in 120 credit hours, a transfer student can complete many degrees in 120 credit hours and 4 years, given that the transfer student follows the degree plan outlined in the transfer guide and does not take courses that are not required. It should be noted, however, that not all degrees for which there are transfer guides can be completed in an additional 60 credits. Completion of the curriculum prescribed within Institutional Transfer Guides does not guarantee admission to a participating receiving institution. Students must meet all admission and application requirements at the receiving institution including the submission of all required documentation by stated deadlines. Please note: students transferring to a University of Colorado institution (Boulder, Colorado Springs, Denver) must satisfy the CU System's MAPS (Minimum Academic Preparation Standards) requirements.

Institutional Transfer Guides for each four-year institution are linked on the Department's website at <http://highered.colorado.gov/Academics/Transfers/Guides/default.html>

8.04 Transfer of Associate of Arts and Associate of Science Degrees that are not Degrees with Designation

A student who earns an Associate of Arts (A.A.) or Associate of Science (A.S.) degree (that is not a Degree with Designation) at a Colorado public institution, including completing the Pathways curriculum with a grade of C- or better in all courses, will transfer, upon admission, with junior standing into all liberal arts and sciences bachelor degree programs offered by a Colorado public four-year university. The credits earned in the associate degree program will apply at minimum to 31 credit hours of lower division general education and 29 credit hours of additional graduation credits. The receiving institution will evaluate credit for prior learning following its standard policy, and in alignment with the Commission's Prior Learning Assessment policy (Section I, Part X). Students should follow the Statewide Transfer Articulation Agreement (if one exists for the chosen bachelor's degree) or the receiving institution's Transfer Guide while considering what courses to complete as part of the A.A. or A.S. degree.

8.05 Colorado Reverse Transfer (formerly known as "Degree within Reach")

Students who have some college completed but who have not yet attained a degree, may be eligible for an associate's degree if they meet the following criteria:

- The student has completed 15 credit hours at a community college in Colorado;
- The student has a minimum of 70 credit hours, including coursework at the four-year institution;
- The student has completed those 70 credit hours within 10 years of enrollment at any institution;

- The student's completed credit hours meet the requirements for an Associate of Science, Associate of Arts or Associate of General Studies, to be determined via degree audit at the community college; and
- The student has not requested that her or his data be withheld at either institution.

For more information, see <https://higherred.colorado.gov/Academics/reversetransfer/>.

8.06 Transfer of Credits from Area Technical Colleges

Students who successfully complete Career and Technical Education (CTE) coursework may be able to transfer the credit for those courses into an Associate of General Studies (A.G.S.) degree, an Associate of Applied Science (A.A.S.) degree or a related certificate program. In regards to coursework completed at Area Technical Colleges, (including, but not limited to, Emily Griffith Technical College, Pickens Technical College, and Technical College of the Rockies) pursuant to §23-60-802, Colorado Revised Statutes:

...if a student completes a program of study at an area technical college and subsequently enrolls in an institution within the state system of community and technical colleges, or transfers from an area technical college to an institution within the state system of community and technical colleges, any postsecondary course credits earned by the student while enrolled in the area technical college will apply in full at another area technical college or to an appropriate program leading to a certificate or to an associate degree at a community or technical college. Postsecondary credits earned by a student at an area technical college may be transferred into an associate degree program at a community college or into a degree program at a four-year institution of higher education as provided in [section 23-1-108 \(7\)](#) and the state credit transfer policies established by the Colorado commission on higher education.²³

9.00 Student Complaints

If disagreement regarding the transferability of credits for coursework or a degree occurs between a student and a receiving institution, or disagreement regarding courses required of students transferring under a Statewide Transfer Articulation Agreement that result in the transfer student taking more total credit hours to receive the degree than a native student in the same academic program, the Department will facilitate an expeditious review and resolution of the matter pursuant to Commission Policy, Section I, Part T: Student Complaint Policy. Complaints can be filed at <http://higherred.colorado.gov/Academics/Complaints/default.html>. Per §23-1-108(7)(a), "The Commission shall have final authority in resolving transfer disputes".

²³ Community colleges and 4-year institutions may accept credits earned from an area technical college as long as that school is accredited to offer the credit. Area technical colleges are not accredited to offer general education (gtPathways).

HISTORY: CCHE Agenda Item V, D – March 14, 2014; CCHE Agenda Item III, I – April 11, 2014; CCHE Agenda Item V, B – February 7, 2019; CCHE Agenda Item III, B – March 8, 2019; CCHE Agenda Item III, A – May 3, 2019; CCHE Agenda Item IV, A – May 1, 2020; CCHE Agenda Item IV, E – October 22, 2020; CCHE Agenda Item III, A – December 3, 2020

TOPIC: DEGREE AUTHORIZATION ACT – PROPOSED ADDITIONS TO
CCHE POLICY SECTION I, PART J, REGARDING STATE
AUTHORIZATION RECIPROCITY

PREPARED BY: HEATHER DELANGE, OFFICE OF PRIVATE POSTSECONDARY
EDUCATION

I. SUMMARY

This item proposes language to the Degree Authorization Act policy (CCHE Policy Section I, Part J) to address the requirement for State Authorization Reciprocity Agreement participating states to implement an appeals process in the event an institution is denied participation (initial or renewal) by the State Portal Entity. The Office of Private Postsecondary Education serves at the SARA State Portal Entity for Colorado.

II. BACKGROUND

The Degree Authorization Act policy (DAA) outlines the Department's jurisdiction over private education programs available to Colorado residents. The DAA establishes standards to prevent misrepresentation, fraud, and collusion in offering educational programs to the public and to protect, preserve, foster, and encourage the educational programs offered by private educational institutions which meet generally recognized criteria of quality and effectiveness as determined through voluntary accreditation.

The policy also notes that pursuant to §23-2-103.1(4), the Commission may negotiate and enter into interstate reciprocity agreements with other states. The Commission voted in April 2014 to join the State Authorization Reciprocity Agreement (SARA) and by so doing agreed to abide by the regulations established and published by its governing board, the National Council for State Authorization Reciprocity Agreements (NC-SARA). NC-SARA has determined that by January 1, 2021, SARA member states shall develop and implement a process to hear and internally resolve appeals from institutions for which they deny initial participation or renewal of participation in SARA.

The proposed additions to CCHE Policy Section I, Part J (Attachment A) outlines the proposed process if institutions wish to appeal the State Portal Entity decision regarding participation in SARA.

III. STAFF ANALYSIS

The proposed changes address and satisfy the requirement set forth by NC-SARA, including that appeals must be heard and resolved by the member state (and not elevated to the regional or national level). The amended language includes the creation of a SARA Appeals Council and a

process by which the institution shall follow if an appeal is filed. The appeals council for the State Portal Entity is recommended to be composed of the Executive Director of the Colorado Department of Higher Education, the Chair of the CCHE Standing Committee for Student Success and Academic Affairs, and the Academic Council member of the CCHE Advisory Committee.

The appealing institution must base the appeal on the grounds that the State Portal Entity representative did not follow the NC-SARA published procedures or that the representative erroneously denied participation based on the institution's inability to meet the NC-SARA stated criteria. The process for institutions shall include a required communication of intent to appeal, followed by an actual formal appeal of the State Portal Entity decision.

IV. STAFF RECOMMENDATIONS

This item is for discussion only, but on recommendation is available for immediate action. If moved to action, staff recommend approval of the proposed additions to CCHE Policy Section I, Part J.

STATUTORY AUTHORITY

§23-2-103.1, C.R.S., Commission – department – duties – limitation – reciprocity

(1) The commission shall:

(a) Establish procedures for authorizing, reauthorizing, and revoking the authorization of private colleges and universities and seminaries and religious training institutions in accordance with the provisions of this article, including but not limited to procedures by which an institution may apply for authorization or reauthorization and the procedures the department shall follow in reviewing applications and making recommendations to the commission.

ATTACHMENTS

Attachment A: CCHE Policy Section I, Part J with proposed additions.



ATTACHMENT A

SECTION I

PART J DEGREE AUTHORIZATION ACT: AUTHORIZATION TO OPERATE AS A POSTSECONDARY INSTITUTION OF HIGHER EDUCATION IN COLORADO

1.00 Introduction

The Colorado Commission on Higher Education (Commission) has statutory responsibility for the administration of Title 23, Article 2 of the Colorado Revised Statutes, (amended 2012), which authorizes certain types of institutions to offer degrees or degree credits: (1) accredited private, degree-granting colleges and universities; (2) postsecondary seminaries and religious training institutions; and (3) out-of-state, public institutions with a Colorado presence. Persons or organizations which violate the provisions of the statute are subject to legal penalties.

The Colorado Department of Higher Education (Department) shall administer the statute by seeking information from any entity offering degrees or degree credits to determine the authority of an institution to operate in Colorado under this statute. Criteria are established for each institutional type to offer degrees or credits leading toward a degree.

No private college or university, out-of-state public college or university, or religious training institution or seminary shall operate within the state until authorized by the Commission to do so.

Private colleges and universities, including out-of-state public institutions with a physical presence in Colorado, that enroll the majority of students at the baccalaureate or higher level are required to obtain authorization to operate in Colorado and maintain authorization through criteria and requirements specified throughout this policy and pursuant to §23-2-101, et seq., C.R.S.

2.00 Statutory Authority

The Commission's policy for private colleges or universities, seminaries, or religious training institutions is based on Title 23, Article 2, which states in part:

The general assembly declares that this article is enacted for the general improvement of the educational programs available to the residents of the State of Colorado; to establish high standards for the education of such residents; to prevent misrepresentation, fraud, and collusion in offering such educational programs to the public; to eliminate those practices relative to such programs which are incompatible with the public interest; and to protect, preserve, foster, and encourage the educational programs offered by private educational institutions which meet generally recognized criteria of quality and effectiveness as determined through voluntary accreditation. (§23-2-101, C.R.S.).

3.00 Definitions



3.01 “Accrediting agency or accrediting body” means a regional, national, or specialized accrediting body that is recognized by the U.S. Department of Education and awards institutional accreditation. Specialized accreditation is only recognized by the state when a specialized program is offered in a freestanding institution offering programs in that specific discipline exclusively and the accrediting body has the authority to accredit both the institution and the program. Specialized accreditation normally applies to the evaluation of programs, departments, or schools which are part of a total collegiate or other postsecondary institution. The unit accredited may be as large as a college or school within a university or as small as a curriculum within a discipline. Most specialized accrediting agencies review units within a postsecondary institution which is accredited by one of the regional accrediting commissions. However, certain specialized accrediting agencies accredit professional schools and other specialized or vocational or other postsecondary institutions which are free-standing in their operations. Thus, a "specialized" or "programmatic" accrediting agency may also function in the capacity of an "institutional" accrediting agency. In addition, a number of specialized accrediting agencies accredit educational programs within non-educational settings, such as hospitals.

3.01.01 “Accredited” means holding institutional accreditation on the basis of an on-site review from a regional or national accrediting body recognized by the U.S. Department of Education.

3.01.02 “Accreditation Status” means the institution’s standing with its accrediting agency. For purposes of state authorization, an accreditation status requiring reporting may be considered an adverse action or sanction.

3.02 “Adverse Action or Sanction” means an action by an institution’s regional or national accrediting body recognized by the U.S. Department of Education that results in a notice from the accrediting agency of “show cause”, “warning”, or “probation” or the equivalent.

3.03 “Alternate enrollment” means the opportunity for a student enrolled in a private college or university that ceases operation to meet the student’s educational objectives through education provided by another authorized private college or university, a community college, an area vocational school, or any other educational arrangement acceptable to the department and the commission.

3.04 “Authorization” means the authorization granted to a private college or university or seminary or religious training institution by the commission as provided in this article and the policies adopted pursuant to this article. Authorization is not an endorsement of the institution by either the commission or the department.

3.04.01 Authorization types:

a. Full Authorization

An institution which is institutionally accredited by a regional or national accrediting body recognized by the U.S. Department of



Education with a successful on-site review of its Colorado location(s).

b. Provisional Authorization

Institutions, new or new to Colorado, which have been evaluated by Department staff under Commission procedures and authorized by the Commission to enroll students, offer instruction, graduate students, and award degrees under the condition that the institution is continuously seeking and is making satisfactory progress toward accreditation. If an institution remains in provisional authorization status for three years or if the Commission determines that the institution is not making satisfactory progress toward accreditation, the Commission may, at its discretion, continue to extend provisional authorization for a two-year period, recommend probationary authorization, or revoke the institution's authorization.

c. Probationary Authorization

An institution with an adverse action or sanction by its accrediting agency or another governmental agency may be recommended for probationary authorization status by the Department. If probationary authorization status is imposed by the Commission, the institution shall remain in probationary authorization status until such time as the Commission determines, and as verified by the Department, that the adverse action or sanction has been lifted by the accrediting body or governmental agency. If an institution remains in probationary authorization status for three years, the Commission may, at its discretion, continue to extend the probationary authorization or revoke the institution's authorization.

d. Religious Authorization

A bona fide postsecondary seminary or religious training institution, offering only programs which are religious in nature, which is exempt from property taxation under the laws of this state and whose degrees or diplomas have no state recognition; or

e. Authorization for a Place of Business (with no instruction)

An institution that has a place of business within Colorado but offers no instruction in the state must receive formal authorization for a place of business by the Commission. Institutions with authorization for a place of business shall be subject to the deceptive trade practices provision as found in §23-2-104, C.R.S., and may be exempted from administrative procedures regarding accreditation at the local site and financial integrity.



f. Authorization for Field Placements (with no instruction)

An institution that intends to place more than ten students from the same program at one site to meet a field experience requirement must receive formal authorization for field placements from the Commission. Institutions with authorization for field placements shall be subject to the deceptive trade practices provision as found in §23-2-104, C.R.S., and may be exempted from administrative procedures regarding accreditation at the local site and financial integrity.

- 3.05 “Commission” means the Colorado Commission on Higher Education created pursuant to §23-1-102, C.R.S.
- 3.06 “Degree” means a statement, diploma, certificate, or other writing in any language that indicates or represents, or that is intended to indicate or represent, that the person named thereon is learned in or has satisfactorily completed a prescribed course of study in a particular field of endeavor or that the person named thereon has demonstrated proficiency in a field of endeavor as a result of formal preparation or training.
- 3.07 “Degree File” includes all students who have received a certificate, degree, or formal award approved by the Department during the report year. Degrees earned but not conferred during the report period should be included in the following year’s report. The degree file is collected annually for federal and state reporting. A summer degree file is collected for purposes of graduation rate calculations, but these records are reported again in the full year file.
- 3.08 “Department” means the Colorado Department of Higher Education created and existing pursuant to §24-1-114, C.R.S.
- 3.09 “Educator Preparation File” means data relating to the cooperative agreement between the Department and the institutions of higher education that offers an educator preparation program, pursuant to §23-1-121(4)(c), C.R.S. This data includes teacher, principal, administrator, and special education endorsement area programs, as well as any endorsement listed in the Field Definitions in the SURDS database.
- 3.10 “Enrollment Agreement” means the contract prepared by a private college or university or seminary or religious training institution that a student signs to indicate agreement to the terms of admission, delivery of instruction, and monetary terms as outlined in the institution’s student handbook or catalog. This definition also applies to electronic enrollment agreements.
- 3.11 “Enrollment File” includes all students enrolled in courses awarding credit toward a degree or other formal award and students enrolled in courses that are part of a vocational or occupational program, including those enrolled in off campus centers and high school students taking college-level courses for credit. The population reported is not limited to students whose credit hours are included in



official FTE reports. The enrollment file is collected every semester from each public postsecondary education institution participating in SURDS.

3.12 “Field Experience” means a student learning experience comprised primarily of the practical application of previously studied theories and skills, under the oversight of a supervisor, mentor, faculty member or other qualified professional, located in the host state, who has direct or indirect reporting responsibility to the institution where the student is enrolled whether or not credit is granted. The field experience is part of a program of study offered by the enrolling institution. Examples include practica, student teaching, clinical placements or internships.

3.13 “Financial Aid File” means complete data regarding all student financial aid awards for a fiscal year, if the institution participates in the Colorado student aid program. This includes all enrolled students with a FAFSA on file who applied for or received aid:

All students who submit an application for student aid maintained in the institution’s financial aid files, or who receive financial support from the institution and who are accepted for enrollment for one or more specific academic periods and enroll in the institution should be included.

Student aid includes all need-based aid, non-need based aid, merit awards, loans, and any other forms of aid included in the Financial Aid File Data Dictionary. All students who received any form of aid that came through the financial aid office are to be included, whether or not the applicant applied for need-based aid.

3.14 “Governing board” means the elected or appointed group of persons that oversees and controls a private college or university or a seminary or religious training institution.

3.15 “Out-of-state public institution” means an institution of higher education that is established by statute in a state other than Colorado.

3.16 “Owner” means:

a. An individual, if a private, for-profit college or university is structured as a sole proprietorship;

b. Partners, if a private, for-profit college or university is structured as a partnership;

c. Members in a limited liability company, if a private, for-profit college or university is structured as a limited liability company; or

d. Shareholders in a corporation that hold a controlling interest, if a private, for-profit college or university is structured as a corporation.

3.17 “Physical presence”



- a. For the purpose of state authorization, an institution has physical presence and therefore must seek authorization to operate in Colorado if the institution:
 1. Establishes a physical location for students to receive synchronous or asynchronous instruction;
 2. Requires students to physically meet in a location for instructional purposes more than twice per full-term (quarter or semester) course for a total of more than six hours;
 3. Establishes an administrative office in the state;
 4. Provides information to students for the purpose of enrolling students, or provides student support services, from a physical site operated by or on behalf of the institution in the state;
 5. Offers a “short course” that requires more than 20 contact hours in one six-month period;
 6. Provides office space to instructional or non-instructional staff;
 7. Maintains a mailing address or phone exchange in the state;
 8. Carries out field study or field research located at a field station, research station or other physical site at which a faculty member or other institutional employee or contractor supervises or otherwise directs two or more students in an activity exceeding the allowable short course length and which either bears academic credit or is a requirement for the course or program.
- b. An institution does not have physical presence, and is therefore not required to seek formal authorization if the institution does not meet the requirements for physical presence if the institution’s actions are limited to the following:
 1. Offering courses to individuals via distance learning that do not require students to gather physically in groups;
 2. Offering Consortia/cooperative courses, between accredited institutions with intentional cooperative agreements;
 3. Advertising to students within a state, whether through print, billboard, direct mail, internet, radio, television, or other medium. **An institution that is seeking authorization to operate in Colorado shall not market or advertise prospective Colorado-based programs in- or outside-of Colorado until and unless the Commission grants authorization;**
 4. Offering an educational field trip arranged for a group of students that are normally in residence at an institution in another state;
 5. An accredited, out-of-state institution offering “in-house” courses, programs, and training exclusively and specifically for a private company or group is not required to seek authorization from the Commission but should notify the Department of its activity to avoid any regulatory misunderstanding;
 6. Offering distance education courses on a military base or vessel if enrollment in such courses is limited to active and reserve military personnel, their dependents, and civilian employees of the installation;
 7. Maintaining a server, router or similar electronic service device when such a device is not housed in a facility that would otherwise constitute a physical presence; the presence of a server or similar pass-through switching device in a



state does not by itself constitute the offering of a course or program from the state;

8. Having faculty, adjunct faculty, mentors, tutors, recruiters, or other academic administrative personnel residing in the state. The presence of instructional faculty in the state, when those faculty offer entirely online or other distance-education instruction and never meet their students in person for educational purposes while in the state, does not establish a physical presence of the institution in the state; or
 9. Holding proctored exams in Colorado on behalf of an institution in another state;
 10. Operating limited supervised field experiences. Programs requiring a field experience may place up to ten students per site per program. More than ten students placed at the same site from the same program require authorization (see section 18.00).
 11. Using recruiters in the state. This provision is not intended to restrict recruiting for courses or programs offered out of state and does not include athletic recruiting.
- 3.18 “Private college or university” means a postsecondary educational institution doing business or maintaining a place of business in the state of Colorado, which enrolls the majority of its students in a baccalaureate or postgraduate degree program. For the purposes of determining eligibility for participation as a Degree Authorization Act institution pursuant to this section, an institution offering certificates comprised of credit-bearing courses at the upper division baccalaureate or at the graduate level will be considered a private college or university.
- 3.19 “Private nonprofit college or university” means a private college or university that maintains tax-exempt status pursuant to 26 U.S.C. sec. 501(c)(3).
- 3.20 “Private occupational school” means an institution authorized by the private occupational school division under the provisions of article 64 of title 23, C.R.S., and that enrolls the majority of students at the certificate or associate level and is regulated by the Division of Private Occupational Schools pursuant to article 64 of title 23, C.R.S.
- 3.21 “Seminary or religious training institution” means a bona fide religious postsecondary educational institution that is operating or maintaining a place of business in the state of Colorado, that is exempt from property taxation under the laws of this state, and that offers baccalaureate, master’s, or doctoral degrees or diplomas, the content of which are limited to the principles of the church or denomination with which it is affiliated. These institutions are not required to hold institutional accreditation but are not prohibited from seeking accreditation. Seminaries and religious training institutions are prohibited from offering or awarding degrees appropriate only for academic institutions, including but not limited to, Bachelor of Arts or Bachelor of Science, Master of Arts or Master of Science, Doctor of Philosophy or other degrees typically offered by academic



institutions, regardless of curriculum or course content, unless the degree title includes the religious field of study (e.g. Bachelor of Arts in Religious Studies); or degrees associated with specific professional fields or endeavors not clearly and directly related to religious studies or occupations. Any seminary or religious training institution that offers instruction outside of this area must apply for authorization and must hold institutional accreditation from regional or national accrediting body recognized by the U.S. Department of Education.

3.22 “State Authorization Reciprocity Agreement” means the interstate reciprocity agreement adopted by the Commission under which eligible Colorado institutions may apply for participation, thereby agreeing to the regulations as established and published by the National Council for State Authorization Reciprocity Agreements.

4.00 Responsibilities of the Private Colleges and Universities, Seminaries or Religious training institutions

4.01 Private colleges or universities, seminaries or religious training institutions are required to:

- 4.01.02 Seek and maintain authorization from the Commission to operate in Colorado pursuant to §23-2-101 et seq., C.R.S. In order to maintain authorization, an institution must:
- a. Seek and maintain institutional accreditation on the basis of an on-site review by a regional or national accrediting body recognized by the U.S. Department of Education **(private colleges and universities only)**;
 - b. Provide information and respond to inquiries by the Department and Commission; and
 - c. Immediately notify the Department of any information related to any action by the institution’s accrediting body concerning the institution’s accreditation status, including but not limited to an adverse action or sanction, reaffirmation or loss of accreditation, approval of a request for change, a campus evaluation visit, a focused visit, approval of additional locations, or substantive changes regarding operations and programming;
 - d. Demonstrate financial integrity on an annual basis, to include maintaining a composite score of at least 1.5 on its equity, primary reserve, and net income ratios, as required in 34 CFR 668.172 and pursuant to §23-2-103.8, C.R.S., **(private colleges and universities only)**;
 - e. Annually submit the Enrollment File and Degree File and, if applicable, the Financial Aid File and Educator Preparation File, as described in §23-1-121, C.R.S., pursuant to §23-2-103.1, C.R.S.;



- f. Annually provide a true and complete copy of the institution's current enrollment agreement;
 - g. Not make or cause to be made any oral, written, or visual statement or representation that violates section §23-2-104, C.R.S.;
 - h. Provide instruction, in accordance with the standards and criteria set by the institution's accrediting body or in accordance with the requirements set forth for seminaries and religious training institutions;
 - i. Provide to the Department, within thirty (30) days after an ownership change, any material information concerning the transaction that is requested by the Department;
 - j. Comply with all aspects of the Degree Authorization Act; if a private college or university or seminary or religious training institution violates any of the requirements set forth in this section, the Department may recommend to the Commission that the institution's authorization be placed on probationary status or revoked; and
 - k. Provide timely submission of fees, pursuant to §23-2-104.5, C.R.S.
- 4.01.03 Private colleges or universities and seminaries or religious training institutions authorized in Colorado must provide information regarding their authorization type and status to prospective and enrolled students. This information must be reasonably accessible and, at a minimum, must be found in each institution's official catalog, website and, , enrollment agreement, if applicable. An authorized institution may not use the Commission or the Department as a perceived endorsement. An authorized institution may not state that it is "accredited" by the Commission or Department. Noncompliance with this section may be treated as an instance of deceptive trade practice in accordance with §23.2.104, C.R.S.
- 4.01.04 Private colleges and universities that enroll the majority of students at the baccalaureate or higher level are required to seek authorization to operate in Colorado and maintain authorization through criteria and requirements specified throughout this policy and pursuant to §23-2-101, et seq., C.R.S.
- 4.01.05 Private colleges and universities that enroll the majority of students at the certificate or associate degree level and are occupational in nature shall be regulated by the Division of Private Occupational Schools and the Private Occupational Schools Board pursuant to Article 64 of Title 23, C.R.S.



4.02 Joint Authorization

Under special circumstances, institutions otherwise approved by the Division of Private Occupational Schools (DPOS) that elect to offer baccalaureate degrees, and have received authority to do so by an approved accrediting body, may hold joint authorization between the DPOS and the Commission. In these circumstances, the Division of Private Occupational Schools will remain the primary regulatory body; the Colorado Commission on Higher Education will authorize the institution to offer baccalaureate degrees.

4.02.01 Pursuant to §23-2-101, et seq., C.R.S. if as a result of changes in student enrollment, a private college or university at times meets the definition of a private college or university and should therefore be under the Colorado Commission on Higher Education and the Department of Higher Education, and at other times meets the definition of a private occupational school, and therefore should be regulated by the Division of Private Occupational Schools and the Private Occupational Schools Board, the private college or university is subject to regulation by the entity that is appropriate as of July 1, 2012. If the private college or university is authorized as of said date, the institution shall be regulated by the same entity for the following three years.

4.02.03 If it is found that the institution no longer meets the definition of a private college or university, as defined by Article 64 of Title 23, C.R.S., the institution will have sixty (60) days to file an application to operate under the Private Occupational Schools Board. During the transition, and until the Private Occupational Schools Board takes action on the institution's application, the institution shall remain authorized by the Commission. Fees assessed during this process will be assessed on a case by case basis. The assessment of fees will consider fees that have been assessed by the current authorizing division.

4.02.04 Failure to apply for approval through the Division of Private Occupational Schools within sixty (60) days will subject the institution to the powers and authorities of the Division or Board pursuant to §23-64-101, et seq., C.R.S., and, as necessary, their procedures for closure.

5.00 Responsibilities of the Commission and the Department

5.01 The Commission shall:

5.01.01 Establish procedures for Department staff to make recommendations to the Commission.



- 5.01.02 Grant or deny authorizations, renew authorizations, place institutions on probation, and revoke authorizations pursuant to §23-2-103.3, C.R.S., and §23-2-103.4, C.R.S.;
- 5.01.03 Establish the types and amounts of fees that a college or university, seminary or religious training institution shall be assessed as required in §23-2-104.5, C.R.S.; and
- 5.01.04 Establish policies requiring private colleges, universities and seminaries, religious training institutions to submit to the department, upon request, the Enrollment File and Degree File and, if applicable, the Financial Aid File and Educator Preparation File as described in §23-1-121, C.R.S.
- 5.01.05 Direct staff to investigate and report on an institution's status with its accrediting agency(ies), other governmental agency(ies), or any other state in which it operates, if the Commission deems such action to be necessary.
- 5.02 The Department shall:
 - 5.02.01 Recommend that the Commission grant, deny, revoke, place on probation, or renew an authorization to operate a private college or university or seminary or religious training institution;
 - 5.02.02 Maintain a list of the private colleges and universities and seminaries and religious training institutions that have authorizations on file with the Department;
 - 5.02.03 Respond to requests from institutions and students and provide a timely review of information;
 - 5.02.04 Establish and maintain a process in accordance with §23-2-104, C.R.S. and Commission policy I, T, concerning Student Complaints and Appeals; for review and action as appropriate on said complaints or appeal, providing the complaint is based on a claim of deceptive trade practice;
 - 5.02.05 Receive and maintain academic records, pursuant to §23-2-103.5, C.R.S., and as described in section 23.01 of this policy. The Department shall permanently retain any student transcripts received;
 - 5.02.06 Maintain the privacy protection of student level data submitted to the SURDS database. (See section 6.00 on privacy);
 - 5.02.07 Administer a fee invoice to the institutions on an annual basis;
 - 5.02.08 a. Compile the enrollment and program data provided by the institutions



b. Periodically review the applicability of the authorization to ensure compliance pursuant to §23-2-101 et seq. C.R.S.

i. If the data show the institution to be in compliance with this policy, no action is necessary on the part of the institution.

ii. If the majority of students enrolled in an institution do not meet the minimum requirements under this policy, Department staff will recommend revocation of authorization under the Commission and will provide the institution with an application for operation under the Division of Private Occupational Schools.

iii. If an institution does not apply for approval through the Division of Private Occupational Schools within the sixty (60) day timeframe, a recommendation for revocation of authorization will be made to the Commission.

iv. The Commission and Department are not authorized to regulate the operations of, including but not limited to the content of courses provided by, a private college or university or seminary or religious training institution except to the extent expressly set forth in this policy.

6.00 Data Privacy Statement

The Executive Director and an employee of the Department shall not divulge or make known in any way data for individual students or personnel, except in accordance with judicial order or as otherwise provided by law. A person who violates this paragraph commits a Class 1 misdemeanor and shall be punished as provided in §18-1.3-501 CRS and shall be removed or dismissed from public service on the grounds of malfeasance in office.

7.00 Interstate Reciprocity

Pursuant to §23-2-103.1(4), the Commission may negotiate and enter into interstate reciprocity agreements with others states if, in the judgment of the Commission, the agreements do not obligate a private college or university or seminary or religious training institution to comply with standards or requirements that exceed the standards and requirements specified in this policy and the agreements will assist in accomplishing the purposes of this policy, unless the institution voluntarily decides to do so.

The participating institution must comply with the criteria in the reciprocity agreement in conjunction with the oversight division of the Department.

7.01 In 2014, the Commission approved entering, on behalf of the State of Colorado and as a member of the Western Interstate Commission for Higher Education, the State Authorization Reciprocity Agreement (SARA).



7.02 The Agreement charges the Department with the responsibility to serve as the State Portal Entity (SPE) and assumes responsibility for the administrative, oversight, complaint investigatory, and reporting functions on behalf of Colorado. As a SARA member state, the Department agrees to adopt the participation requirements set forth by the National Council of State Authorization Reciprocity Agreements.

7.023 As a member state and under the participation requirement, the state portal entity reviews the Colorado institutions' applications for participation and bears the responsibility of the approval or denial of participation in SARA.

7.034 Institutional Appeals Process

7.03.01 In the event an institution is denied participation in SARA or if a current participant in SARA receives notice of removal from SARA, the institution may appeal the decision by the State Portal ~~Contact~~Entity to ~~the State Portal Entity for further review by the SARA Appeals Council.~~

7.03.02 The SARA ~~A~~appeals ~~C~~council shall be ~~comprised~~composed of the Executive Director of the Colorado Department of Higher Education, the Chair of the CCHE ~~Standing~~Sub eCommittee for Academic and Student Affairs, and the Academic Council member of the CCHE Advisory Committee.

A. Institutions choosing to appeal, must do so based on the following grounds:

1. The State Portal ~~Contact~~Entity did not follow procedures set forth by the National Council for State Authorization Reciprocity Agreements as outlined in the SARA manual. The appealing institution must provide supporting documentation.
2. The State Portal Entity ~~Contact~~ erroneously denied participation based on the institution's ~~assessed~~ inability to meet the eligibility criteria to participate in SARA, as outlined in the SARA manual. The institution must provide documentation proving it meets the eligibility criteria for SARA participation.

B. Appeals Process

1. Institutions seeking to appeal the removal or denial of participation ~~from~~in SARA must notify the State Portal ~~Entity~~ Contact in writing of the intent to appeal and must do so within five (5) days after receiving the notice of denial or removal. For current participating institutions, if the notice is not received within five (5) days, the State Portal ~~Entity~~



- Contact will begin the process to officially remove the institution from SARA by notifying the NC-SARA staff.
2. Institutions that notify the State Portal Entity Contact of the intent to appeal must submit an official appeal, consisting of a letter stating the reason for appealing and supporting documentation, within seven (7) days after submitting the notice of intent to appeal.
 3. Upon receiving the official appeal and supporting documentation, the Appeals Council will offer a decision within ~~thirtyfourteen~~ (30~~14~~) days of the receipt of the official appeal. The Appeals Council may consult with relevant and applicable individuals from the institution, the State Portal Entity Contact~~PE~~, and the SARA Director at WICHE, and may request additional documentation and/or ~~call~~invite-on the institution ~~for~~to a meeting.
 4. Institutions that are successful in appealing the initial decision by the State Portal ~~Contact~~Entity will be granted initial participation in SARA or will remain a SARA participating institution. Pursuant to NC-SARA regulations, the institution must pay all SARA related fees prior to final institutional participation or before institutional participation can be renewed.
 5. Institutions whose ~~Appeals that~~ are unsuccessful will be notified of the decision ~~by of~~ a member of the SARA Appeals Council~~Executive Director~~. For current SARA participating institutions the State Portal Contact will take immediate action to have the institution removed from the NC-SARA institution list following the notification of the Appeals Council's ~~Executive Director's~~ decision.
 6. If an institution's SARA participation expires during the appeals process, it will remain a participating institution until the process is completed.
 7. The decision of the Appeals Council is final.

8.00 Seminaries and Religious Training Institutions



- 8.01 To operate in Colorado, a seminary or religious training institution shall apply for and receive authorization from the Department and establish that it qualifies as a bona fide religious institution and as an institution of postsecondary education, as defined by rules promulgated by the Commission. A bona fide religious institution and an institution of postsecondary education that applies for authorization pursuant to §23-2-103.3 shall pay the fee established according to §23-2-104.5. Nothing in this section shall preclude a seminary or religious training institution from seeking institutional accreditation, but it is not required.
- 8.02 A seminary or religious training institution shall apply for renewal of authorization every three years to ensure compliance for those institutions authorized under the Authorization as a Seminary or Religious Training Institution.

9.00 Process for Seeking Authorization as a Seminary or Religious Training Institution

9.01 Criteria to Qualify

- 9.01.01 The statute recognizes only a “bona fide religious postsecondary educational institution” which is “exempt from property taxation under the laws of this state.” Institutions of this type may only offer programs appropriate to a religious institution. 9.01.02 To qualify as a “bona fide religious postsecondary institution,” the seminary or religious training institution must:
- A. Be a nonprofit institution owned, controlled, operated, maintained, or affiliated with a bona fide church or religious denomination, lawfully operating as a nonprofit religious corporation pursuant to Title 7 of the Colorado Revised Statutes.
 - B. Limit the educational programs to the principles of the church or denomination with which it is affiliated and grant degrees or diplomas only in areas of study that contain on their face, in the written description of the title of the degree or diploma being conferred, a reference to the theological or religious aspect of the degree’s subject area.
 - C. Not offer or award degrees in any secular area of study or degrees appropriate only for academic institutions, such as, but not limited to, Bachelor of Arts or Bachelor of Science, Master of Arts or Master of Science, Doctor of Philosophy, or other degrees typically offered by academic institutions, regardless of curriculum or course content, unless the degree title includes the religious field of study (e.g., “Bachelor of Arts in Religious Studies”); or degrees associated with specific professional fields or endeavors not clearly and directly related to religious studies or occupations.
 - D. Require at least a high school diploma or its equivalent for admission into baccalaureate-level programs. For graduate



programs, the admission criteria must be commensurate with graduate level institutions.

- E. Not market, offer or grant degrees or diplomas which are represented as being linked to a church or denomination, but which actually are degrees in secular areas of study.
- F. Provide documentation of exemption from property taxation under state law and submit to the Department a copy of the certificate of this exemption for the school's site and facilities, verified by the Colorado Division of Property Taxation and a letter of determination signed by the Property Tax Administrator, Division of Property Taxation, Colorado Department of Local Affairs, stating that the institution is exempt from real and personal property taxation under state law. If the institution is domiciled in another state, the property taxation exemption documentation from that state is acceptable.
- G. Provide any additional evidence to substantiate that the institution is a bona fide religious institution, including: a statement of institutional mission clearly establishing the mission of the institution as solely religious, and curricula and degree, diploma, or certification programs that clearly support that singular mission; or evidence that the school holds at least pre-accreditation status with one of the following nationally recognized accrediting associations:
 - 1. Association for Biblical Higher Education, Commission on Accreditation; or
 - 2. The Association of Advanced Rabbinical and Talmudic Schools; or
 - 3. Commission on Accrediting of the Association of Theological Schools.

10.00 Process to Establish Authorization as a Seminary or Religious Training Institution

- 10.01 An institution seeking authorization as a bona fide religious institution shall submit to the Department a completed and signed Declaration for Religious Authorization, and document compliance with all requirements in the Declaration, and shall provide a revised Declaration at any time that information originally submitted no longer is accurate.
- 10.02 The first step in obtaining state authorization and prior to the submission of required documentation, institutions seeking to operate in Colorado as a seminary or religious training institution shall consult in person at the Department with the administrator of the Degree Authorization Act.



- 10.03 Following the consultation and review of all documents submitted, the Department shall determine if the institution qualifies for authorization as a seminary or religious training institution.

11.00 Evaluation of Application for Authorization as a Seminary or Religious Training Institution

- 11.01 Following the submittal of the required documents, the Department shall review the application for required components and documents and make a recommendation to the Commission regarding authorization.

- 11.02 The Department shall either:

- Recommend for Seminary or Religious Training Authorization
- Not Recommend Authorization

12.00 Renewal of Authorization for Seminaries and Religious Training Institutions

- 12.01 A seminary or religious training institution shall apply for renewal of authorization every three years. The renewal of authorization process shall demonstrate that the seminary or religious training institution continues to meet the minimum operating standards specified in this policy and §23-2-103.8, C.R.S. Failure to do so will result in an assumption that the minimum standards are not met and a recommendation for revocation of authorization will be made.

- 12.02 A seminary or religious training institution that continues to meet the minimum operating standards specified in 9.01 is presumed qualified for renewal of authorization, and the Department shall recommend that the Commission renew the seminary or religious training institution's authorization for three additional years.

- 12.02.01 A seminary or religious training institution shall provide the Department for renewal:

- a. Updated list of program offerings; and
- b. Confirmation of non-profit religious corporation status; and
- c. Confirmation of affiliation with bona fide church or religious organization; and
- d. Confirmation of tax-exempt status pursuant to Colorado State Law; and
- e. Updated institutional organization information.

- 12.03 A seminary or religious training institution that meets the criteria and rules established herein is exempt from the provisions of this policy that exclusively apply to the secular private colleges and universities authorized by the Commission.



- 12.04 If a seminary or religious institution does not renew its authorization within four (4) months of notice, the Department may recommend and the Commission may, at its discretion, continue to authorize, place on probationary authorization, or revoke the institution's authorization.

13.00 Private Colleges and Universities/Out-of-State Public Institutions

- 13.01 Pursuant to §23-2-103.3, C.R.S., to operate in Colorado, a private college or university shall apply for and receive authorization from the Commission. A private college or university shall obtain separate authorization for each campus, branch, or site that is separately accredited.
- 13.02 After receiving an application, the Department shall review the application and any other pertinent information to evaluate whether the private college or university meets institutional accreditation requirements at the Colorado site by an accrediting body recognized by the United States Department of Education. Department staff shall not accept an application from an institution that is not in good standing with its accreditor.
- 13.03 The Department shall not recommend and the Commission shall not approve an application from a private college or university that, in the two years preceding submission of the application, has had its accreditation placed on show cause or probation, suspended or withdrawn, or has been prohibited from operating in another state or that has substantially the same owners, governing board, or principal officers as a private college or university that, in the two years preceding submission of the application, has had its accreditation suspended or withdrawn or has been prohibited from operating in another state.
- 13.04 To operate in Colorado, a private college or university shall be institutionally accredited on the basis of an on-site review by an accrediting body recognized by the United States Department of Education which is authorized to offer institutional accreditation; except that a private college or university may operate for an initial period without accreditation if the commission determines, that the private college or university is likely to become accredited in a reasonable amount of time or is making progress toward accreditation in accordance with the accrediting body's policies.
- 13.05 The Commission may grant a provisional authorization to a private college or university to operate for an initial period without accreditation. The private college or university shall annually renew its provisional authorization and report annually to the Commission concerning the institution's progress in obtaining accreditation.
- 13.06 A private college or university shall notify the Department in a timely manner of any material information related to an action by the institution's accrediting body concerning the institution's accreditation status, including but not limited to reaffirmation or loss of accreditation, approval of a request for change, a campus evaluation visit, a focused visit, or approval of additional locations. In addition,



the institution shall notify the Department in a timely manner if the United States Department of Education no longer recognizes the institution's accrediting body. Failure to provide this information shall lead to revocation or probationary authorization by the Commission.

14.00 Minimum Operating Standards to Qualify as a Private College or University

14.01 A private college or university is an institution which is “doing business or maintaining a place of business in the state of Colorado” and which offers courses of instruction or study wherein credits may be earned toward a degree in a field of endeavor. A publicly-supported college or university based in another state and which seeks or has physical presence in the state of Colorado will be treated as a “private college or university.”

14.02 All institutions must meet the following criteria to qualify for consideration of authorization and renewal of authorization:

1. Demonstrated ability to provide appropriate student services at the new site through the application materials; and
2. Demonstrated financial ability to support all operations at the new site through the application materials; and
3. Demonstrated physical presence in Colorado with the appropriate documentation.

15.00 Process for Authorization/Renewal of Authorization for Private Colleges and Universities:

15.01 Process to Establish Authorization as a Private College or University

- A. Institutions seeking state authorization to operate in Colorado as a private college or university shall consult in person at the Department with the administrator of the Degree Authorization Act prior to the submission of required documentation.
- B. The applicant shall submit all required materials to the Department and Department staff will assemble an evaluation team to review the materials submitted. The evaluation team is charged with determining whether the materials provided demonstrate compliance with the Degree Authorization Act, promulgated policy, and the likelihood of accreditation.
- C. To receive state authorization an institution must provide documentation that demonstrates that each of the following criteria has been met:
 1. The institution is familiar with and understands accreditation procedures and state authorization policies and procedures; and
 2. (a) The institution identifies the accrediting body from which the institution will seek accreditation if accreditation is not yet obtained; or,



- (b) A statement from the institution's accrediting agency regarding the accreditation of the Colorado campus..
3. The institution has a mission statement formally adopted by its governing body and made public, which defines the basic character of the institution, including a brief description of the educational programs to be offered and their purposes, the students for which the programs are intended, the geographical or demographic area served by the institution, and a description of how the institution relates to Colorado's broader higher education community. The mission shall be appropriate to an institution of higher education and the institution must plan to award degrees.
 5. The institution has a governing board that possesses and exercises necessary legal power to establish and review basic policies that govern the institution and shall have designated an executive officer to provide administrative leadership for the institution. The board shall include among its members some who represent the public interest and are sufficiently autonomous from the administration and ownership to assure the integrity of the institution. A list of the members of the board, and a brief resume for each, and the name and title of the executive officer and principal administrators and the address of the administrative office shall be submitted to the Department.
 6. If faculty members are employed at the time the application is filed with the department, the faculty, their academic credentials (degrees, previous experience, publications, etc.) and teaching fields shall be identified. If no faculty are employed at the time of application, the institution shall describe the qualifications of the faculty that are to be recruited and the procedures that will be used to find and contract with faculty members.
 7. Private institutions shall provide ownership information. If the institution is applying as a nonprofit entity, it shall submit with its application, verification of nonprofit status, including a copy of the institution's tax-exempt certificate issued by the Colorado Department of Revenue.
 8. The institution's proposed academic programs shall be appropriately named and be based on fields of study recognized as appropriate (as demonstrated by the existence of professional literature in the field; the offering of similar programs in already-accredited institutions; and by the existence of professional organizations related to the field) for a postsecondary institution. The academic program shall comport with the institutional mission as described in documents provided to the department. The institution shall provide a list of the degrees it proposes to award and a degree (as defined in the Degree



Authorization Act, §23-1-101 et seq., C.R.S.) is to be awarded upon successful completion of an educational program.

9. The content and length of the proposed academic program shall follow practices common to institutions of higher education and must align with accreditation standards. Documentation shall be provided that lists all requirements for a degree and the curricula offered leading to the degree, showing planned typical student programs by semester or term. Any proposed undergraduate degree program shall include a coherent general education component that is consistent with the institution's mission and appropriate to its educational programs.
10. Student access to all necessary learning resources and support services shall be provided. Necessary resources and support services vary by type of program, but all require some use of library resources. Laboratories may be required for some programs. Support services such as academic advising, financial aid counseling, and support for special, targeted, constituencies may be needed. The institution shall describe the learning resources and support services that it will provide and state how they will be provided to students on a regular, dependable basis.
11. Admission policies shall be consistent with the institution's mission and appropriate to the educational program.
12. The institution has financial resources to support start-up activities and sources of funds sufficient to ensure that the institution can sustain itself once students have been admitted. The Department shall be provided with a current financial statement, an audit report of a financial audit completed within the previous twelve months by a certified public accountant, or other substantial evidence.

- D. After an institution has submitted all required documentation and based on the institution's selected accrediting body, the Department shall contract with an evaluation team to review all submitted materials to determine the institution's readiness for on-site accreditation and make a recommendation regarding authorization.

15.02 Joint Authorization under Special Circumstances

- 15.02.01 In the special instance that a school authorized by the Division of Private Occupational Schools offers baccalaureate degree programs but does not meet the majority rule pursuant to §23-64-104(d)(II), C.R.S., the Commission shall have authority to authorize the baccalaureate and higher level programs at the school pursuant to the Degree Authorization Act, §23-2-101, et seq., C.R.S. However, under such circumstances, the school will be required to follow DPOS rules and statutes until such time that the



majority of the institution's programs are at the baccalaureate level or higher.

15.02.02 Under the special circumstances, as stated in 4.02, department staff will address complaints received by students enrolled in the baccalaureate and higher degree programs pursuant to the process outlined in section 14.01.

- a. In the event that the department receives complaints by students enrolled at both the sub-baccalaureate and baccalaureate levels, department staff may coordinate the review of these complaints and include all relevant information in recommendations for board action, whether the information is being provided to the DPOS board, the Commission, or both.

16.00 Evaluation of Application for Authorization for Private Colleges and Universities

16.01 Following the submission of the required documents and based on the institution's selected accrediting body, the Department shall review the application for required components and documents, the Department shall contract with an evaluation team to review all submitted materials to determine the institution's readiness for on-site accreditation and make a recommendation regarding authorization.

16.02 Based on the recommendation of the evaluation team, the Department staff shall recommend:

- Provisional Authorization
- No Authorization

16.03 Each evaluation team will consist of several appropriate independent and fully credentialed evaluators selected by Department staff, based on institution type and the accrediting body from which the applicant shall seek accreditation.

16.04 In addition to the required documents, additional materials may be requested by the evaluation team and/or department staff based on the criteria established by the accreditation association.

16.05 If the evaluation team does not recommend the applicant institution for state authorization, the applicant institution may not reapply for a period of one year from the date of notice and the application fee will be assessed upon reapplication. If the evaluation team recommends a conditional approval based on minor technical changes, the applicant institution will have six months to reapply and the Department will not assess another application fee.

17.00 Establishing Authorization as a Place of Business (no instruction)



- 17.01 An institution of higher education that is accredited by a U.S. Department of Education recognized accrediting agency may operate an administrative office but may not offer instruction from the Colorado site.
- 17.02 Criteria to qualify for consideration of Authorization as a Place of Business. Institutions seeking this authorization must provide:
- a. Institutional statement, signed by an institutionally authorized official, which:
 - 1. Certifies the institution intends to limit Colorado operations to the administrative office function only;
 - 2. Certifies the institution does not have or intend to have a physical presence in the state beyond the administrative office, which can include a branch campus or any additional site that provides instruction to students;
 - 3. Agrees to report the number of Colorado students on a yearly basis through Colorado's student unit record data system (SURDS);
 - 4. Agrees to pay an annual fee pursuant to the CCHE approved fee schedule; and
 - 5. Certifies the truth and accuracy of the application materials, by including the following statement: "I certify that all the information submitted with this application is true and accurate and that the institution will comply with all the requirements for authorization under §23-2-101, et seq., C.R.S."
 - b. Statement of Institutional Mission
 - c. Information on degrees and academic programs
 - d. A statement on why the institution is choosing Colorado for an administrative office.
 - e. Statement of accreditation status, including:
 - 1. Most recent site visit report
 - 2. Determination letter from accrediting agency
 - f. Description of all activities that will occur at the Colorado office
 - g. Application fee
 - h. Initial authorization checklist
 - i. Completed Regulation Determination

18.00 Establishing Field Experience Authorization (no instruction)

- 18.01 An institution of higher education that is accredited by a U.S. Department of Education recognized accrediting agency may place students in field experience sites but may not offer instruction from the Colorado site.



18.02 Criteria to qualify for consideration Field Experience Authorization. Institutions seeking this authorization must provide:

- a. Institutional statement, signed by an institutionally authorized official, which:
 1. Certifies the institution intends to limit Colorado operations to the field experience function only;
 2. Certifies the institution does not have or intend to have a physical presence in the state beyond the student(s) completing their required practical component;
 3. Agrees to limit student placement for the approved program(s);
 4. Agrees to pay the approval fee pursuant to the CCHE approved fee schedule; and
 5. Certifies the truth and accuracy of the application materials, by including the following statement: “I certify that all the information submitted with this application is true and accurate and that the institution will comply with all the requirements for authorization under §23-2-101, et seq., C.R.S.”
- b. Information on the degrees that require field placements, including those programs which are intended to result in licensure. If the program leads to licensure, the institution must provide a statement regarding the requirements for students not living in the home state.
- c. A letter of good standing from the institution’s home state.

19.00 Renewal of Authorization for Private Colleges and Universities with “Full Authorization”

- 19.01 A fully authorized private college or university shall apply for renewal of authorization in accordance with the schedule for institutional reaccreditation by its accrediting body or every three years, whichever is longer.
- 19.02 Required documents for renewal of authorization:
 - a. Self-evaluation report or similar
 - b. Accreditation site visit team’s report
 - c. Institution’s response to site visit report
 - d. Final determination letter from the accrediting body

20.00 Renewal of Authorization for Private Colleges and Universities with “Provisional Authorization”



20.01 Private colleges and universities that hold provisional authorization shall renew authorization annually. If after three years the institution has not achieved accreditation, the Commission may grant a two-year extension if the institution requests the extension, provides documentation demonstrating satisfactory progress toward accreditation and has maintained continuous compliance.

20.02 Required documents:

- a. Any and all communications to and from the accrediting body from which the institution is seeking accreditation, including all documents regarding progression towards the institution's progress toward attaining accreditation;
- b. Accreditation progress report from the accrediting agency;
- c. Status report of institution's activities;
- d. Updated enrollment information;
- e. Enrollment agreements, if applicable, and any other recruitment materials used for training staff and presented to potential students;
- f. Updated list of faculty, including faculty credentials and the courses they teach;
- g. Updated list of programs offered at the Colorado site;
- h. Updated bond information.

21.00 Renewal of Authorization for Private Colleges and Universities with "Probationary Authorization"

21.01 Private colleges and universities that have been placed on probation by the Commission shall annually renew such authorization with the Commission until such time the Commission determines to restore full authorization status or revoke the institution's authorization to operate.

21.01.02 Required documents for institutions with probationary authorization:

- a. Accreditation status update, identifying progress regarding the adverse action issued by the accrediting body or other governmental agency;
- b. Any and all communication regarding the adverse action issued by the accrediting body or other governmental agency;
- c. Prospective timeframe for when the adverse action is expected to be acted upon.

22.00 Renewal of Authorization – All Authorized Institutions



- 22.01 A private college or university that has authorization from the Commission pursuant to §23-2-103.3, C.R.S., and maintains its accreditation shall apply to the Department for renewal of authorization in accordance with the schedule for reaccreditation by its accrediting body or every three years, whichever is longer. A seminary or religious training institution shall apply for renewal of authorization every three years. A private college or university or seminary or religious training institution that seeks renewal of authorization shall submit an application in accordance with the procedures and policies adopted by the Commission and shall pay the renewal of reauthorization fee established by the Commission pursuant to §23-2-104.5, C.R.S.
- 22.02 To renew its authorization to operate in Colorado, a private college or university or seminary or religious training institution shall demonstrate that it continues to meet all minimum operating standards specified in the Degree Authorization Act, specifically §23-2-103.8, C.R.S., and this policy. Failure to demonstrate compliance with the minimum operating standards will result in a presumption that the minimum operating standards are not met and the Commission, at its discretion, may place the institution on probationary authorization or revoke authorization.
- 22.03 A private college or university that has had its accreditation reaffirmed without adverse action is in compliance with §23-2-103.8, C.R.S., and is not subject to investigation pursuant to §23-2-103.4, C.R.S., is presumed qualified for renewal of authorization, and the Department shall recommend renewal for a period of three years or the length of the institution's accreditation, if applicable, whichever is longer.
- 22.04 A seminary or religious training institution that continues to meet the minimum operating standards is presumed qualified for renewal of authorization, and the Department shall recommend that the Commission renew the institution's authorization for three additional years.
- 22.05 If a private college or university or seminary or religious training institution cannot demonstrate that it meets the minimum operating standards specified in Commission policy or pursuant to §23-2-103.3 or §23-2-103.8, if applicable, the Department shall recommend that the Commission deny the institution's application for renewal of the authorization.
- 22.06 If, within six months after receiving the notice of denial of the application for renewal, the institution corrects the action or condition that resulted in denial of the application for renewal, the institution may reapply for renewal of the authorization.
- 22.07 If the institution does not correct the action or condition within the six month period, it may submit a new application for authorization after correcting the action or condition.



- 22.08 If a private college or university has received an adverse action or sanction from its accrediting body at the time it files for an application for renewal of authorization to operate in Colorado, the Department may recommend that the Commission renew the institution's authorization or that the Commission grant a probationary renewal of the institution's authorization.
- 22.09 If an institution receives a probationary renewal of its authorization, the institution shall reapply for renewal of its authorization annually until the accrediting body lifts the adverse action, and the institution shall annually report to the Commission concerning the institution's progress in removing the adverse action.
- 22.10 If the Department recommends that the Commission grant a probationary renewal of authorization or deny an application for renewal of authorization, the Commission shall notify the private college or university or seminary or religious training institution concerning the recommendation, and the Department and the Commission shall proceed in accordance with the provisions of the "State Administrative Procedures Act", Article 4 of Title 24, C.R.S.

23.00 Change of Authorization Type - Probationary Status or Revocation

- 23.01 If the Commission has reason to believe that a private college or university or seminary or religious training institution meets one or more of the grounds specified in the following section for probationary authorization status or revocation of authorization, the Commission may order the Department to investigate the private college or university or seminary or religious training institution and make a recommendation concerning whether to place the institution on probationary authorization status or revoke the institution's authorization.
- 23.02 To assist the Department in conducting an investigation pursuant to §23-2-103.4 (1), C.R.S., the Commission may subpoena any persons, books, records, or documents pertaining to the investigation, require answers in writing, under oath, to questions the Commission or Department may ask, and administer an oath or affirmation to any person in connection with the investigation. In conducting the investigation, the Department may physically inspect an institution's facilities and records. A subpoena issued by the Commission pursuant to this paragraph is enforceable by any court of record in the state.
- 23.03 Based on findings of an investigation pursuant to this section, the Department shall make a recommendation to the Commission regarding the institution's authorization status.
- 23.04 If the Department recommends probationary authorization status or revocation of authorization, it shall identify the applicable grounds for specified below, and the Department and the Commission shall proceed in accordance with the provisions of the "State Administrative Procedures Act," Article 4 of Title 24, C.R.S.



23.05 With regard to the authorization of a private college or university, the Commission may:

23.05.01 Revoke the private college's or university's authorization or place the institution on probationary authorization status if the private college or university:

- a. Fails to meet any of the minimum standards set forth in this policy or in statute;
- b. Fails to substantially comply with the applicable laws or rules adopted or implemented by other governmental agencies that have jurisdiction over the institution; or
- c. Violates the federal criminal laws or the criminal laws of this state or any other state in which the institution operates;
- d. Loses accreditation, is placed on probation by, or receives an adverse action or sanction from its accrediting agency; or
- e. Is accredited by an accrediting agency that the U.S. Department of Education no longer recognizes.

23.06 The Commission may revoke a seminary's or religious training institution's authorization or place the institution on probationary status if the seminary or religious training institution:

- a. No longer meets the definition of a seminary or religious training institution specified in §23-2-102, C.R.S.;
- b. Fails to meet any of the minimum standards set forth in statute or in the Commission's policy or rule adopted to implement the statute; or
- c. Violates the federal criminal laws or the criminal laws of this state or any other state in which the institution operates.

24.00 Fee Schedule

Pursuant to §23-2-104.5, C.R.S., the Commission has the authority to establish fees for direct and indirect costs of administering the Degree Authorization Act. After initial determination of fees, fees will be established on an annual basis no later than June 30 of the year preceding implementation. The Department and Commission shall give thirty (30) days for comment unless no changes are made to the fee structure. The fee shall reflect the direct and indirect costs of administering the article. Fees shall include, but not be limited to, application fees, authorization/annual fees, renewal of authorization fees, educator preparation fees (if applicable), and gtPathways review fees (if applicable).

25.00 Deposit of Records upon Discontinuance



- 25.01 Pursuant to §23-2-103.5, C.R.S., if an authorized private college or university or seminary or religious training institution ceases operating in the state, the owner of the institution or his or her designee shall deposit with the department the original or legible true copies of all educational records of the institution. If the Commission determines that the records of an authorized institution are in danger of being destroyed, secreted, mislaid, or otherwise made unavailable to the Department, the Commission may seek a court order authorizing the Department to seize and take possession of the records.
- 25.02 The Department or the Attorney General may enforce the provisions of this section by filing a request for an injunction with a court competent jurisdiction. A person may request, in accordance with the provisions of the Colorado Open Records Act, Part 2 of Article 72 of Title 24, C.R.S., a copy of a record held by the Department pursuant to this section. The Department shall permanently retain any student transcript. The Department shall retain any other records received for ten years following the date on which it receives or obtains the records. After the ten years, the Department shall dispose of the records in a manner that will adequately protect the privacy of personal information included in the records.

26.00 Procedure for the Closure of an Institution

- 26.01 In the event an institution closes and ceases operations, the owner or designee is required to provide timely notification, with as much advanced notice as is possible, to the Department and currently enrolled or recruited students in writing immediately of the intention to close/cease operation.
- 26.02 Written notification the Department to close or cease operations must include:
- a. Name of the institution;
 - b. Name of the owner, active mailing address, and telephone number where he or she may be reached after the institution physically closes;
 - c. Name of the institution's Chief Executive Officer, President, or other appropriate administrator;
 - d. Date of closure (or approximate of anticipated closing date);
 - e. A list, with contact information, of all affected students including, a report of the status of all students currently enrolled and those students on leave of absence whose education and training program will not be fully completed by the date of the institution's closure;
 - f. Identify in writing whether there are refunds due to any students;
 - g. Submit a written statement from the owner or designee affirming that all recruitment efforts, program marketing, advertisement (regardless of type, i.e.



newspaper, website, television broadcast, etc.), solicitation and enrollment of new students has ceased;

- h. A copy of the written notice given to current students or recruited-but-not-yet-enrolled students informing them of the school's intent to close and copies of any other record of students having been so notified; and
- i. The expected deposit date of the student records to the Department.

26.03 Student Records must include:

- a. The individual enrollment agreement and other instruments relating to the payment for educational services, including student financial aid; and
- b. Academic grades and attendance (when in doubt preserve it; seek technical assistance from the Department; or turn it over to the Department to make a final determination); and
- c. The date the student began instruction at the school and information about each program in which the student is or was enrolled, including (a) the name of program, (b) length of program in clock hours or credit hours and (c) date of last instruction or of course completion; and
- d. Record of any student grievance and subsequent resolution; and
- e. Transcript/record of completion showing extent of each student's record of achievement up to last date attended or up to time the institution ceased operation; and
- f. Student ledger cards. The student ledger card is the document that summarizes the financial transactions pertaining to each student's attendance at the institution including a listing of all costs charged to the student and all fees received from the student or any other funding source on behalf of the student.

27.00 Alternative Enrollment

An option for students faced with a closure is to continue their education in order to complete their program. Alternative enrollment may be provided, under which (1) either the students complete their studies at the original private college or university in which they are enrolled, before it closes or (2) arrangements are made and students are given an opportunity to complete their education at another private, Commission authorized school which offers substantially the same education.

Alternative enrollment is intended to fulfill the original contract between the closing institution and the student. If alternative enrollment is arranged for another approved institution to provide the remaining education that other institution must provide comparable education and agree that students transferring from the closing institution will pay only the cost of tuition/fees that remain unpaid, according to the terms and



conditions found in the enrollment agreement entered into between the student and the closing institution.

The Department will work with the closing institution and its accrediting body to determine if alternative enrollments can be made available. The option of alternative enrollment is voluntary and a student may decline such an arrangement.

28.00 Financial Integrity – Surety

28.01 Pursuant to §23-2-103.8, C.R.S., the Department shall determine the financial integrity of private colleges or universities except when the private college or university:

- a. Is a party to a performance contract with the Commission under §23-5-129, C.R.S.;
- b. Has been accredited for at least twenty years by an accrediting agency that is recognized by the United States Department of Education;
- c. Has operated continuously in this state for at least twenty years; and
- d. Has not at any time filed for bankruptcy protection pursuant to Title 11 of the United States Code.

28.02 If a private college or institution does not meet the criteria above, the Department shall determine the institution's financial integrity by confirming that the institution meets or does not meet the following criteria:

- 28.02.01 The institution has been accredited for at least ten years by an accrediting agency that is recognized by the United States Department of Education;
- 28.02.02 The institution has operated continuously in this state for at least ten years;
- 28.02.03 During its existence, the institution has not filed for bankruptcy protection pursuant to Title 11 of the United States Code;
- 28.02.04 The institution maintains a composite score of at least 1.5 on its equity, primary reserve, and net income ratios, as required in 34 CFR 668.172; and
- 28.02.05 The institution meets or exceeds the pro rata refund policies required by the federal Department of Education in 34 CFR 668 or, if the institution does not participate in federal financial aid programs, the institution's refund and termination procedures comply with the requirement of the institution's accrediting body.



28.03 If a private college or institution is part of a group of private colleges and universities that are owned and operated by a common owner, so long as all of the other institutions in the group meet the criteria specified above then the Department shall determine the institution's financial integrity by confirming that the institution meets the following criteria:

28.03.01 The institution has received and maintains full accreditation without adverse action from an accrediting agency that is recognized by the United States Department of Education, which accrediting agency requires the institution to maintain surety or an escrow account or has affirmatively waived or otherwise removed the requirement for the institution;

28.03.02 The institution has been continuously authorized by the Commission for at least five years:

a. The institution owns and operates a permanent instructional facility in the state;

b. The institution annually provides to the Department audited financial statements for the most recent fiscal year that demonstrate that the institution maintains positive equity and profitability;

c. The institution maintains a composite score of at least 1.5 on its equity, primary reserve, and net income ratios, as required in 34 CFR 668.172; and

d. The institution meets or exceeds the pro rata refund policies required by the federal Department of Education in 34 CFR 668 or, if the institution does not participate in federal financial aid programs, the institution's refund and termination procedures comply with the requirements of the institution's accrediting body.

28.04 Surety

Each private college or university that is not exempt and cannot demonstrate financial integrity shall file evidence of surety in the amount calculated by the Department using the criteria above prior to receiving authorization to operate in Colorado. The surety may be in the form of a savings account, deposit, or certificate of deposit that meets the requirements of §11-35-101, C.R.S., or an alternative method approved by the Commission, or by bond. The Commission



may disapprove an institution's surety if it finds there are insufficient funds to provide students with indemnification and alternative enrollment.

28.05 Bonds

- 28.05.01 If a private college or university files a bond, it shall be executed by the institution as principal and by a surety company authorized to do business in Colorado. The bond shall be continuous unless the surety is released as set forth in this section.
- 28.05.02 The surety shall be conditioned to provide indemnification to any student that the Department finds to have suffered loss of tuition or any fees as a result of any act or practice that is a violation of the Degree Authorization Act, to provide alternate enrollment, as described below, for students enrolled in an institution that ceases operation, and to reimburse the Department for any actual administrative costs associated with an institution ceasing operation.
- 28.05.03 The amount of the surety that a private college or university submits is the greater of five thousand dollars or an amount equal to a reasonable estimate of the maximum prepaid, unearned tuition and fees of the institution for the period or term during the applicable academic year for which programs of instruction are offered, including but not limited to programs offered on a semester, quarter, monthly, or class basis, except that the institution shall use the period or term of greatest duration and expense in determining this amount if the institution's academic year consists of one or more periods or terms. The private college or university shall recalculate the amount of the surety annually.
- 28.05.04 The Colorado Commission on Higher Education may consider alternative surety requirements for institutions that can demonstrate that existing surety covers students served by the institution operating subject to authorization by the Colorado Commission on Higher Education.

28.06 Claims of Loss of Tuition and Fees

A student, or parent or guardian of the student, who claims loss of tuition or fees, may file a claim with the Department if the claim results from an act or practice that violates a provision of this policy. Claims filed with the Department are public records except that the Department shall not make the claims records public if the release would violate a federal privacy law. The Department shall not consider a claim that is filed more than two years after the date the student discontinues his or her enrollment with the institution.

28.07 Ceasing Operation and Alternate Enrollment



If a private college or university ceases operation, the Commission may make demand on the surety of the institution and the holder of the surety upon the demand for a refund by a student or the implementation of alternate enrollment and may make demand on the surety to reimburse the Department for actual administrative costs associated with the institution ceasing operation. In such case, the holder of the surety or, if the surety is a bond, the principal on the bond shall pay the claim due in a timely manner. To the extent practicable, the Commission shall use the amount of the surety to provide alternate enrollment through a contract with another authorized private college or university, a community college, an area vocational school, or any other arrangement that is acceptable to the Department. The alternate enrollment provided to a student shall replace the original enrollment agreement, if any, except that the student shall make the tuition and fee payments as required by the original enrollment agreement, if any.

Any amount of the surety that is greater than the amount necessary to satisfy costs to provide alternate enrollment for the student and any demand for a refund by a student may be retained by the Department as reimbursement up to the amount of any actual administrative costs incurred by the Department that are associated with the closure.

28.08 Payment of Debt

A student who is enrolled in a private college or university that ceases operation and who declines alternate enrollment may file a claim with the Commission for the student's prorated share of the prepaid unearned tuition and fees that the student paid. The Commission shall not make a subsequent payment to a student unless the student submits proof of satisfaction of any prior debt in accordance with this policy. If the amount of the surety is less than the total prepaid, unearned tuition and fees that have been paid by students at the time the institution ceases operation, the Department shall prorate the amount of the surety among the students. This section applies only to students enrolled in the institution at the time it ceases operation. Once an institution ceases operation, no new students shall be enrolled. The Commission is the trustee for all prepaid, unearned tuition and fees, student loans, Pell grants, and other student financial aid assistance if an authorized private college or university ceases operation.

28.09 Claims That Do Not Involve Ceasing Operation

For claims made that do not involve a private college or university that ceases operation, the Commission shall conduct a hearing to determine whether there is loss of tuition or fees, and, if the Commission finds that claim is valid, it shall make demand upon the surety.

28.10 Suspending Authorization Based on Loss of Surety



- 28.10.01 A private college's or university's authorization is suspended by operation of law when surety as required by this policy no longer covers the institution. The Department shall give written notice to the institution at the last-known address at least forty-five days before the release of the surety. Authorization is suspended by operation of law until the institution files evidence of surety in like amount as the surety being released.
- 28.10.02 The principal on a bond filed under the provisions of this section is released from the bond after the principal serves written notice thereof to the Commission at least sixty days before the release. The release does not discharge or otherwise affect a claim filed by a student or enrollee or his or her parent or legal guardian for loss of tuition or fees that occurred while the bond was in effect or that occurred under any note or contract executed during any period of time when the bond was in effect, except when another bond is filed in a like amount and provides indemnification for any such loss.
- 28.10.03 Each private college or university that files a surety shall provide annual verification of continued coverage by surety in a report to the Commission due by January 1 of each year. If a private college or university that is exempt from the provisions of this policy or that demonstrates financial integrity ceases to operate in this state, the State Attorney General may file a claim against the institution on behalf of students enrolled at the time the institution ceases operation to recover any amount of unearned, prepaid tuition that may be owed to the students. A seminary or religious training institution is not subject to the requirements of this section.

29.00 Data Submission

Refer to SURDS data submission guidelines,

30.00 Student Complaints

Refer to CCHE policy I, T; concerning Student Complaints.

**TOPIC: PROPOSED RESOLUTION TO EXTEND IMPLEMENTATION
DEADLINE FOR HB19-1206 DUE TO EXCEPTIONAL
CIRCUMSTANCES**

**PREPARED BY: DR. CHRIS RASMUSSEN, SENIOR DIRECTOR OF ACADEMIC
PATHWAYS AND INNOVATION**

I. SUMMARY

This item presents for discussion and potential action a Commission resolution to extend the implementation deadline for HB19-1206 due to exceptional circumstances presented by the CoVID-19 pandemic.

II. BACKGROUND

House Bill 19-1206 (Higher Education Supplemental Academic Instruction) amended various parts of state statute, most prominently CRS §23-1-113 and CRS §23-1-113.3, concerning the delivery of basic skills/developmental education courses by state-supported institutions of higher education in Colorado. The act was designed to move institutions away from the use of pre-requisite remedial education courses and toward supplemental academic instruction (SAI) or other forms of co-requisite remediation (credit-bearing courses or other supports offered in conjunction with a gateway, college-level course). The act directed the Commission to adopt a developmental education policy that requires public institutions of higher education to maximize the likelihood of student success in gateway courses in math and English. The Commission approved revisions to its developmental education policy at its May 1, 2020 meeting.

The act states that for institutions authorized to offer developmental education, beginning in the 2022-23 academic year, no more than 10 percent of enrolling students shall be placed into pre-requisite developmental education courses (CRS §23-1-113.3(1)(a)(I)). The act also allows for institutions to request an extension of up to two years “upon demonstrating exceptional circumstances.”

III. STAFF ANALYSIS

Revisions to the CCHE developmental education policy were introduced for discussion at the Commission’s March 2020 meeting. By May, the CoVID-19 pandemic had caused immense disruption in higher education, including the near-overnight shift to all-remote instruction and the cancellation of test administration for the SAT and ACCUPLACER. The staff took these circumstances into account in preparing a revised set of recommendations to the Commission for the developmental education policy. What was not known at the time was the dramatic economic impact of the pandemic, including the damage to college and university budgets. While revenue forecasts have improved as of November 2020, institutional budgets have been impacted by a

decrease in fall enrollment, including a nearly 10% decrease across the Colorado Community College System (CCCS)

In the case of CCCS, significant investments were planned to create new co-requisite courses, train faculty in effective pedagogical techniques, pilot different approaches to instruction, assess the efficacy of different forms of skills assessment and placement, update data systems, and incorporate equity and inclusion more intentionally into developmental education. Much of the budget for this work disappeared due to the double impact of cuts in appropriations and the subsequent drop in enrollment. Additionally, institutions across the state did what was necessary to pivot to all-remote instruction in the spring, followed by investments made in prevention and mitigation of the pandemic, and efforts to improve the online experience for students coming into the fall semester.

This is a partial illustration of how the CoVID-19 pandemic presents “exceptional circumstances” that will inhibit institutions’ ability to meet the statutory deadline to ensure that no more than 10 percent of enrolling students are placed into pre-requisite developmental education courses that delay progress toward a degree. Given continued budgetary uncertainty (especially during the current worsening phase of the pandemic), it would be helpful for institutions to know with certainty that a request for an extension would be approved. It is therefore recommended that the Commission act to pre-approve any request for an extension from the 2022-23 academic year to the 2023-24 academic year. Institutions would retain the prerogative to request an extension of up to two years, following a process to be developed by Department staff.

IV. STAFF RECOMMENDATION

This item is presented for discussion, but on recommendation could be moved for immediate action. If moved to action, staff recommends approval of the proposed resolution to extend the implementation deadline for HB19-1206 due to exceptional circumstances.

V. STATUTORY AUTHORITY

C.R.S. §23-1-113

Commission directive – admission standards for baccalaureate and graduate institutions of higher education – policy – report – definitions.

...

(1.5) (a) (I) The commission shall establish and the governing boards shall implement a policy pursuant to section 23-1-113.3 to identify matriculated students who need additional supports to be successful in gateway courses in English and mathematics and standards and procedures whereby state institutions of higher education may offer supplemental academic instruction or developmental education courses as provided in section 23-1-113.3. The commission's policy must prohibit the placement of a student in developmental education

courses based on a single instrument or test and must be designed to maximize the likelihood that a student will complete gateway courses in English and mathematics within one year. In addition, the commission's policy must require state institutions to use an evidence-based placement approach to placing students into English as a second language courses, and placement of these students must be designed to maximize the likelihood that a student placed in English as a second language courses will complete gateway courses in English within three years. The commission, in consultation with the governing boards, shall ensure that the policy aligns with the admission policy adopted pursuant to subsection (1) of this section. In identifying the standards for developmental education, the commission may differentiate requirements for mathematics based on the prerequisite skills needed for required courses within a student's declared program of study.

C.R.S. §23-1-133.3

Commission directive – developmental education courses – report.

(1) (a) (I) As part of the policy adopted by the commission pursuant to section 23-1-113 (1.5)(a), the commission shall adopt and the governing boards shall implement standards and procedures whereby state institutions of higher education may offer developmental education courses, as defined in section 23-1-113 (11)(b), pursuant to this section, as prerequisites to a gateway course in English and mathematics, as defined in section 23-1-113 (11)(b.5). Beginning in the 2022-23 academic year, no more than ten percent of students enrolling in a state institution of higher education shall be enrolled directly into a developmental education course, as defined in section 23-1-113 (11)(b), that is prerequisite to a gateway course in English or mathematics if the developmental education course lengthens the student's time to degree beyond the time it would take the student to complete the degree if the student had enrolled directly into a gateway course.

(II) On or before August 1, 2021, each state institution of higher education authorized pursuant to subsection (2)(a) of this section to offer developmental education courses, as defined in section 23-1-113 (11)(b), shall have a plan in place to meet the requirements described in subsection (1)(a)(I) of this section. The commission's standards and procedures must allow an institution of higher education to request an extension from the commission of up to two years to meet the requirements described in subsection (1)(a)(I) of this section, upon demonstrating exceptional circumstances.

...

ATTACHMENT

Attachment A: Proposed Resolution to Extend the Implementation Deadline for HB19-1206 Due to Exceptional Circumstances.

WHEREAS, on April 25, 2020, Governor Jared Polis signed into law [HB 19-1206](#) (Higher Education Supplemental Academic Instruction), which was designed to move institutions away from the use of pre-requisite remedial education courses and toward supplemental academic instruction (SAI) or other forms of co-requisite remediation proven to be more effective in ensuring students' success, and

WHEREAS, this act directed the Commission to adopt a developmental education policy that requires public institutions of higher education to maximize the likelihood of student success in gateway courses in math and English, which the Commission adopted on May 1, 2020, and

WHEREAS, the act requires that for institutions authorized to offer developmental education, beginning in the 2022-23 academic year, no more than 10 percent of enrolling students shall be placed into pre-requisite developmental education courses that delay their progress toward a degree, and

WHEREAS, for institutions authorized to offer developmental education, the act requires that by August 1, 2021, institutions shall have a plan in place to meet this requirement, and

WHEREAS, the CoVID-19 pandemic has caused immense disruption in higher education, requiring tremendous resources to pivot to remote instruction and implement preventative and mitigation measures to minimize the impact of the pandemic on operations, and

WHEREAS, the dramatic economic impact of the pandemic was exacerbated by declines in Fall 2020 enrollment, especially in community colleges, and

WHEREAS, the loss of funding from appropriations and tuition revenue has led institutions to scale back or pause investments required to meet the requirements of HB19-1206 by the beginning of the 2022-23 academic year, and

WHEREAS, HB19-1206 allows for institutions to request an extension of up to two years to meet the aforementioned statutory requirement "upon demonstrating exceptional circumstances," and

WHEREAS, the CoVID-19 pandemic clearly represents exceptional circumstances affecting the ability of institutions to meet the requirements of HB19-1206 by the start of the 2022-23 academic year,

BE IT RESOLVED that the Colorado Commission on Higher Education will grant upon request by any public institution authorized to offer developmental education, following processes developed and communicated by staff of the Department of Higher Education, an extension of one year (to the beginning of the 2023-24 academic year) to meet the requirements in §23-1-133.3 (1) (a) (I), Colorado Revised Statutes, and

BE IT FURTHER RESOLVED, that the Commission delegates to the Executive Director of the Department or her designee authority to grant an extension of one year upon request by an institution.

TOPIC: OPEN EDUCATION RESOURCES NOTIFICATION
IMPLEMENTATION GUIDELINES

PREPARED BY: SPENCER ELLIS, DIRECTOR OF EDUCATIONAL INNOVATION

I. SUMMARY

This item outlines the background and request for the CCHE's endorsement of the guidelines outlined in the Department memo regarding institution's expectations for the implementation of the provision of notification of OER and low-cost materials per HB18-1331.

HB 18-1331 reads: "(1) the commission shall adopt guidelines to require public institutions of higher education to ensure that, beginning in the fall of 2021, students are informed prior to course registration concerning which courses and sections use open educational resources or other low-cost materials. (2) as used in this section, "public institution of higher education" has the same meaning as provided in section 23-4.5-102.

Below, staff provide an overview of how the guidelines were developed and how they will help students with regard to cost transparency and how this provision helps advance the Department's goal of achieving greater data and reporting on the impact of OER for Colorado students.

II. BACKGROUND

The Colorado Commission on Higher Education (CCHE) has supported the open educational resources (OER) initiative at the Department since its inception. Led by the statewide OER Council in conjunction with Department staff, Colorado's open education work contains student costs while enriching teaching and learning in classrooms across Colorado. Since 2018, the Department has invested in the training, professional development, and a comprehensive grant program; all of which are necessary to support the infrastructure needed to expand open education and the use of OER in Colorado.

As a component to the original bill, policy requires the Department to ensure the following "*by fall of 2021, students are informed prior to course registration concerning which courses and sections use open educational resources or other low-cost materials*". In order to do so, Department staff seek the Commission endorsement of the guidelines outlined in the attached memo. These guidelines are the result of participation from Department stakeholder groups as well as from students. Staff monitored the process by visiting the Registrar Council, OER Council and GE Council to remind them of this provision and invite contributions. Furthermore, survey feedback from OER Grantees and students from the 2019-20 year helped inform key definitions outlined in the guidance. Finally, a subcommittee, including the OER Council chair, convened virtually to endorse the guidelines included in the memo.

The CDHE and OER Council interpret the bill language to mean each institution of higher education should clearly inform students of the courses that use Open Educational Resources (OER) and low-cost materials as their primary resources prior to the student's registration period. This requires institutions to:

1. Know which courses use OER and low-cost materials and;
2. Make that information clearly available to students.

This means institutions can indicate on their course registration portal all courses using OER and other low-cost options as primary required resource in the course (preferred) OR, at a minimum, create a website listing all courses using OER and other low-cost options as primary required resource in the course.

Key definitions

- Open educational resources (OER): high-quality teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license that permits free use or repurposing by others and may include other resources that are legally available and available to students for free or very low cost.
- Low-cost materials: based on survey responses from both grantees and students, the Department has determined the definition of low-cost materials is defined as a total cost under \$20.
- Zero Textbook Cost (ZTC): materials that are free to students, which may include combination of OER and other resources provided by the library (eg electronic resource subscription)

II. STAFF ANALYSIS

As mentioned in previous agenda items, “in 2020, the Department laid out its Roadmap to Affordability for learners in Colorado, reaffirming its commitment to OER. After two years, CDHE’s effort to build capacity and support has created a statewide ecosystem for successful OER implementation.” The Open Education community hopes that this spirit of innovation, support for equity, and investment in high-quality, low-cost materials continues both now and into the future as this bill is repealed in 2021.

In an effort to ensure a sustained initiative, and to provide students and the public with further transparency with regard to course material costs, the Department recommends the institutions to implement this policy at the institutional level. Realizing different institutions have varying capacity to implement the policy, the guidelines set a standard for institutions to follow, without restriction through a narrowly tailored process. This will allow for the agility in guidelines needed for the diverse campuses across the state. Moreover, this provision should help with the

aspirational goal of Department staff to both increase awareness of OER to 100% and further develop data and reporting associated with OER, which will enable a clearer picture of the impact of Open Education on Colorado students.

Staff intend to assure compliance through institutional surveys asking for reporting back on how institutions have met the standards and guidelines locally. Many institutions have already begun implementation (and in fact, at least one institution already meets the requirements of the bill) of this work and are helping Department staff to understand how the intent of this requirement can be met with varying approaches. This partnership is a testament to the coordinating role of the Department and the practitioner role of the institutions coming together to ensure the policy in favor of the students and consumers.

III. STAFF RECOMMENDATION

Staff recommends approval and endorsement of the memorandum as the Commission's official guidance on this provision from HB18-1331.

STATUTORY AUTHORITY

Pursuant to § 23-4.5-103, concerning expanding the use of open educational resources at public institutions of higher education, and, in connection therewith, creating the Colorado open educational resources council, creating a grant program to support the creation and use of open educational resources, and making an appropriation.

ATTACHMENT(S):

[CDHE Guidance on HB 18-1331](#)



1600 Broadway, Suite 2200
Denver, CO 80202

COLORADO

**Department of
Higher Education**

Jared Polis
Governor

Dr. Angie Paccione
Executive Director

Memorandum

TO: Public Institutions of Higher Education in Colorado
FROM: Spencer Ellis, Director of Educational Innovation
RE: Notification of OER and low-cost courses per HB18-1331

This memo serves as guidance for Colorado Revised Statute § 23-4.5-103, which states: *“by fall of 2021, students are informed prior to course registration concerning which courses and sections use open educational resources or other low-cost materials”.*

Clarification

The CDHE and OER Council interpret this language to mean each institution of higher education should clearly inform students of the courses that use Open Educational Resources (OER) and low-cost materials as their primary resources prior to the student's registration period. This requires institutions to:

1. Know which courses use OER and low-cost materials and;
2. Make that information clearly available to students.

This means institutions can indicate on their course registration portal all courses using OER and other low-cost options as primary required resource in the course (preferred) OR, at a minimum, create a website listing all courses using OER and other low-cost options as primary required resource in the course.

Key definitions

- Definition of open educational resources (OER): high-quality teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license that permits free use or repurposing by others and may include other resources that are legally available and available to students for free or very low cost.
- Definition of low-cost materials: based on survey responses from both grantees and students, the Department has determined the definition of low-cost materials is defined as a total cost under \$20.
- Zero Textbook Cost (ZTC): materials that are free to students, which may include combination of OER and other resources provided by the library (eg electronic resource subscription)

Timeline

Implemented as soon as possible, with students' informed of OER and low-cost materials by registration for fall semester/term 2021.

Additional Support: Visit the CDHE's webpage dedicated to sharing approaches from other institutions or contact the CDHE directly for more information.

TOPIC: **Equity Champions Coalition Equity Report**

PREPARED BY: **Shelley Banker**

I. SUMMARY

The Equity Champions Coalition has created a report as a first step to develop a vision and strategic plan to drive improvements in success and completion for students of color in Colorado. The purpose is to erase equity gaps among students who complete a degree or credential. The publication charts:

- A vision identifying an equitable education system and what it includes
- Principles of an exemplary education system to help Colorado achieve that vision
- Practical improvement strategies that align to these principles as a guide to ongoing activities over the time period of the Coalition
- Measures of success and accountability structures to promote enrollment, persistence, completion against equity gaps

The report is scheduled for release on December 14, 2020. Staff and student advisor, David Olguin, will provide an overview of the report.

II. BACKGROUND

In spring 2020, CDHE established the Office of Educational Equity (OEE) and created the second cohort of Equity Champions Coalition (ECC). The OEE and ECC are charged with identifying policies and structures that support students, erase equity gaps, examine those producing or sustaining inequitable policies, and determine an action plan for change.

III. STAFF ANALYSIS

Staff analysis of the issue, for further clarification.

IV. STAFF RECOMMENDATIONS

Staff seek Commission support for the report and recommendations and to provide necessary resources to implement recommended activities.

V. STATUTORY AUTHORITY

none

ATTACHMENT(S):

none

TOPIC: BUDGET AND LEGISLATIVE UPDATE

PREPARED BY: JASON SCHROCK, CHIEF FINANCIAL OFFICER
CHLOE FIGG, LEGISLATIVE LIAISON

I. SUMMARY

This item provides a status update on the Department's budget and legislative agenda for the upcoming legislative session.

II. BACKGROUND

The Legislature meets each year for 120 days from January to May. During this time, legislation is considered and a budget is developed for the upcoming fiscal year. The Department meets regularly and works closely with the institutions of higher education, the Governor's office and General Assembly on all bills impacting higher education and provides policymakers with information about pending legislation and key issues.

On November 2nd, the Governor released his FY 2021-22 executive budget request. The Department will work with key stakeholders and the Joint Budget Committee on successful inclusion of the higher education proposals in the state budget.

III. STAFF ANALYSIS

A brief presentation of the Department's FY 2021-22 budget and legislative agenda impacting higher education will be shared and discussed at the meeting.

IV. STAFF RECOMMENDATIONS

This is an information item only; no formal action is required by the Commission.

V. STATUTORY AUTHORITY

Not applicable.

ATTACHMENTS

Attachment A List of Higher Education Budget Requests



Higher Education Budget Requests

Fiscal Year 2021-22 Budget Requests

In priority order

R1 – State Funding Increase for Public Higher Education | The Department of Higher Education (DHE) requests an increase of \$494 million General Fund to restore operating support for institutions of higher education to the FY 2019-20 level.

DHE respectfully requests that the JBC sponsor legislation to temporarily suspend the provision at C.R.S. 23-3.3-103(1), in order to maintain funding for state financial aid at the FY19-20 level.

The Governor's proposed budget makes critical investments in postsecondary education in order to support economic recovery and resilience, advance college access and affordability for students and families, and promote innovation and adaptation to the post-pandemic "new normal."

This is the first year in which the new funding formula established by HB20-1366 that allocates state funding to institutions is statutorily required to be used. The formula contains three key steps. Steps one and three allocate flexible funding based on institutional needs, base funding concerns, specific institutional projects, and funding related to specific populations. Funding allocated via step one is base building, while step three funding is one-time. Step two funding awards institutions based on their performance on various Master Plan metrics

R2—Tuition Spending Authority | This request caps resident undergraduate tuition growth to 3% while allowing institutions to request permission through the Colorado Commission on Higher Education (CCHE) for a greater increase.

R3—Fort Lewis College Native American Tuition Waiver | The Department requests an increase of \$2.9 million General Fund to account for the anticipated cost of the Fort Lewis College Native American Tuition Waiver in FY 2021-22.

R4—Wind Down Professional Student Exchange Program | The Department requests a reduction of \$126,025 reappropriated funds in FY 2021-22 for the Professional Student Exchange Program (PSEP). This request also includes further reductions of \$171,775 and \$78,800 in FY 2022-23 and FY 2023-24, respectively, resulting in the program being completely phased out.

R5—Restore Cyber Coding Cryptology Program | The Department requests an increase of \$2.0 million General Fund for the Cyber Coding Cryptology Program in FY 2021-22 and ongoing. This increase would restore state funding for the program to the FY 2019-20 level (\$5.1 million General Fund).

R6—Realign Funding for Colorado Student Leaders Institute | The Department requests a reduction of \$218,825 General Fund and 1 FTE for the Colorado Student Leaders Institute (COSLI) in FY 2021-22 and ongoing. This reduction would eliminate state funding for the program. The Department respectfully requests that the JBC sponsor legislation to clarify in statute that the program is subject to available appropriations.

R7—Continue Open Educational Resources | The Department requests \$100,838 reappropriated funds and 1 FTE in FY 2021-22 and ongoing for the continuation of the Open Educational Resources (OER) program. This request would allow the Department to maintain a state-level Director of OER and the OER Council in order to support the further development of free digital textbooks and course materials at Colorado's public institutions of higher education. The requested funds are from savings generated by the Department's R-04 request. DHE respectfully requests that the JBC sponsor legislation to reauthorize the program for an additional five years.

R8—RISE Fund for Higher Education | The Department requests a one-time appropriation of \$10 million General Fund in FY 2021-22 to expand on the Response, Innovation, and Student Equity (RISE) Education Fund created by the Governor in the summer of 2020. The funds would provide grants to Colorado's public institutions of higher education to support institution-led initiatives to reduce costs, improve operational efficiency, and adapt and lead in the post-pandemic "new-normal." The Department respectfully requests that the JBC sponsor legislation establishing the RISE Higher Education Fund and authorizing the distribution of grants.

R9—Restore Educator Loan Forgiveness Program | The Department requests \$2.9 million General Fund and 0.5 FTE in FY 2021-22 to restore the Educator Loan Forgiveness Program established by S.B. 19-003. Funding for this program was de-funded in FY 2019-20 and ongoing in order to balance the FY 2020-21 budget. This request would provide enough funding to pre-pay the full cost of one cohort of 100 teachers receiving 5 years of \$5,000 in loan forgiveness per year.

Supplemental Request

The Department of Labor and Employment and DHE request a one-time investment of \$40 million General Fund in FY 2020-21 in Colorado's Plan for Workforce and Economic Recovery in 2021 (CO POWER 21). Of the \$40 million in requested funds, \$15 million would be invested in the Colorado Opportunity Scholarship Initiative's (COSI) Displaced Worker Program and \$25 million would be invested in local workforce centers through the Colorado Workforce Development Council (CWDC).

COLORADO COMMISSION ON HIGHER EDUCATION - BYLAWS

Section 1. Organization and Meetings

- 1.1 Organization: Pursuant to C.R.S. §23-1-102, the Commission shall consist of eleven members appointed by the Governor with the consent of the Senate. The members of the Commission are selected on the basis of their knowledge of and interest in higher education and shall serve for four-year terms. No member of the Commission may serve more than two consecutive full four-year terms.
- 1.2 Officers: Pursuant to C.R.S. §23-1-110, the officers of the Commission shall be the Chair and Vice Chair. The Secretary shall be the Executive Director of the Commission and the Department and is a non-voting member of the Commission. The Governor appoints, with the consent of the Senate, the Executive Director to serve as the executive officer of the Commission and the Department.
- 1.3 All officers shall be elected at the May meeting of the Commission to serve a term of one year, except the Secretary whose term shall be coterminous with his or her term as Executive Director. Any member may nominate themselves or another member to be chair or vice-chair. Members will vote on each position; if there is more than one nomination the vote will be conducted by private ballot to be counted by the Secretary. Officers shall be limited to two consecutive terms, unless an exception is approved by a vote of more than 60 percent of the Commission. When possible, a Commissioner is encouraged to serve as vice-chair prior to becoming chair.
- 1.4 Regular Meetings of the Commission: The Commission shall adopt at the October Commission meeting a schedule of regular meetings of the Commission for the following calendar year.
- 1.3 Notice of Meetings: Any meetings at which the adoption of any proposed policy, position, resolution, rule, regulation, or formal action occurs or at which a majority or quorum of the body is in attendance, or is expected to be in attendance, shall be held only after full and timely notice to the public. In addition to any other means selected by the Commission for giving notice to the public, the Commission shall post notice of its meetings at the office of the Colorado Department of Higher Education located at 1560 Broadway, Suite 1600, Denver, Colorado 80202 and on the Colorado Department of Higher Education website. Notices shall be posted no less than two days prior to the holding of the meeting. The posting shall include specific agenda information where possible.
- 1.4 Special Meetings: Special meetings of the Commission may be held at the call of the Chair on two days' notice, or at the request of five members of the Commission who may petition the Chair to call such a meeting. Notice of special meetings shall be made electronically or by telephone and posted at the office and on the website of the Colorado

Department of Higher Education no less than two days prior to the meeting date.

- 1.5 Conduct of Meetings: The Chair shall preside at all meetings at which he or she is present. In the Chair's absence, the Vice Chair shall preside, and in the event both are absent, those present shall elect a presiding officer. All meetings shall be conducted in accordance with all State laws and regulations. The parliamentary rules contained in Robert's Rules of Order, latest revision, shall govern in all cases to which they are applicable, except as modified herein.
- 1.6 Attendance at Meetings: The term of any member of the Commission who misses more than two consecutive regular Commission meetings without good cause, as determined by the Chair, shall be terminated and his successor appointed in the manner provided for appointments under C.R.S. §23-1-102.
- 1.7 Preparation of Agenda: Meeting agendas shall be prepared by the Executive Director of the Department. A monthly agenda call will be scheduled with the Chair, Vice Chair, and Executive Director, or his or her designee, to discuss and approve the proposed agenda. At a regular or special meeting, an item of business may be considered for addition to the agenda by a majority vote of the Commissioners present.
- 1.8 Minutes of the Commission: The Secretary shall maintain an accurate set of minutes of Commission meetings, which shall include a complete record of all actions taken by the Commission. Such minutes shall constitute a permanent record. After the minutes of each meeting are completed they shall be reviewed by the Commission and, after approval, posted on the CCHE website and made available to the public for inspection upon written request.
- 1.9 Standing Committees: The Commission may create standing or ad hoc committees comprised of Commissioners to research and make recommendations on specific issues for the full Commission to consider and act on.

Section 2. Duties and Responsibilities of Officers

- 2.1 Chair of the Commission: The Chair of the Commission shall preside at meetings of the Commission at which he or she is in attendance.
- 2.2 Vice Chair of the Commission: The Vice Chair shall perform all duties of the Chair in the Chair's absence.
- 2.3 The Secretary/Executive Director of the Commission: In addition to performing those duties established by law, the Executive Director of the Commission and Department shall: (a) serve as the Secretary of the Commission, (b) meet with the officers and staff of institutions of higher learning as the needs dictate for a mutual discussion of the matters affecting the responsibilities of the Commission, (c) meet with appropriate state and federal groups and/or officials on matters pertaining to the Commission, (d) meet with appropriate committees of the General Assembly on matters pertaining to the

Commission's responsibilities, (e) appoint such professional staff as in his or her judgment are required and are within the budget approved by the Commission and for which funds are available, (f) prepare an annual operating budget and work program for approval by the Commission, (g) implement the policies of the Commission and communicate those policies to interested parties as appropriate.

Section 3. The Advisory Committee

3.1 There is hereby established an advisory committee pursuant to C.R.S. §23-1- 103).

Advisory Committee Members: The advisory committee shall consist of not less than thirteen members, to be designated as follows:

(a) Six members shall be appointed from the General Assembly, including three senators, two of whom shall be from the majority party, appointed by the President of the Senate and one of who shall be from the minority party appointed by the Minority Leader of the Senate, and three representatives, two of whom shall be from the majority party, appointed by the Speaker of the House of Representatives and one of who shall be from the minority party appointed by the Minority Leader of the House of Representatives. Said six members shall be appointed for terms of two years or for the same terms to which they were elected to the general assembly, whichever is the lesser. Successors shall be appointed in the same manner as the original members;

(b) One member shall be selected and designated by the Commission, as recommended by the Colorado Faculty Advisory Council, to represent the faculty in the state;

(c) One member shall be selected and designated by the Commission, as recommended by the Student Affairs Council, to represent the students in the state for a term of one year, commencing on July 1 of the year appointed;

(d) One member shall be selected and designated by the Commission who is a parent of a student enrolled in a state supported institution of higher education in Colorado to represent the parents of students for a term of two years, commencing on July 1 of the year appointed.

(e) Not more than four additional members representing educational or other groups may be selected and designated by the Commission to serve on the advisory committee.

The Commission has designated the four additional advisory committee members to represent:

- Chief Academic Officers of Colorado's state supported institutions of higher education, as recommended by the Colorado Academic Council;
- Chief Financial Officers of Colorado's state supported institutions of higher education, as recommended by the, as recommended by the Chief Financial Officers group;

- Independent Higher Education Institutions in Colorado (Colorado College, Regis, and Denver University), as recommended by the Independent Higher Education Council; and,
- The K-12 system, as recommended by the Colorado Department of Education.

All such appointments shall be for a term of two years, commencing on July 1 of the year appointed.

- 3.2 Notice and Agendas: All members of the advisory committee shall receive agendas and background material and be notified of all public meetings of the Commission and shall be invited to attend for the purpose of suggesting solutions for the problems and needs of higher education and maintaining liaison with the general assembly.
- 3.3 Recommendations of the Advisory Committee: The members of the advisory committee shall have full opportunity to present their views on any matter before the Commission.

Section 4. Change in Bylaws

- 4.1 Bylaws shall be subject to amendment at any meeting of the Commission provided any such proposed change is listed on the agenda in accordance with the procedure outlined in Section 1.5 Notice of Meetings. Bylaw changes must be approved by a majority of the Commission.

<p>HISTORY: Adopted on September 10, 1965. Amended January 14, 1966; February 25, 1972; June 1, 1978; July 1, 1993; October 7, 2004; May 6, 2011; CCHE Agenda March 3, 2017 Item V; April 5, 2019</p>



COLORADO
Colorado Commission on
Higher Education
Department of Higher Education

Tom McGimpsey, Chair
Vanecia Kerr, Vice-Chair
Paul Berrick Abramson
Luis Colón
Sarah Kendall Hughes
Teresa Kostenbauer
Steven Meyer
Charlotte Olena
Brittany Stich
Steven Trujillo
Eric Tucker

COLORADO COMMISSION ON HIGHER EDUCATION

- Chair Tom McGimpsey (*R-2nd Congressional District*) 1st term ends June 2021
- Vice Chair Vanecia Kerr (*D- 6th Congressional District*) 1st term ends June 2018
- Commissioner Paul Berrick Abramson (*U-7th Congressional District*) 1st term ends July 2023
- Commissioner Luis Colón (*R-4th Congressional District*) 2nd term ends June 2021
- Commissioner Sarah Kendall Hughes (*D-3rd Congressional District*) 1st term ends July 2023
- Commissioner Teresa Kostenbauer (*U-4th Congressional District*) 1st term ends July 2024
- Commissioner Steven Meyer (*U-3rd Congressional District*) 1st term ends July 2024
- Commissioner Charlotte Olena (*D-1st Congressional District*) 1st term ends July 2023
- Commissioner Brittany Stich (*D-1st Congressional District*) 1st term ends July 2022
- Commissioner Steven Trujillo (*D-3rd Congressional District*) 1st term ends July 2023
- Commissioner Eric Tucker (*U-5th Congressional District*) 1st term ends July 2023

ADVISORY COMMITTEE

Legislative Advisors

- Representative Julie McCluskie, *House Majority Appointment*
- Representative Cathy Kipp, *House Majority Appointment*
- Representative Kevin Van Winkle, *House Minority Appointment*
- Senator Nancy Todd, *Senate Majority Appointment*
- Senator Tammy Story, *Senate Majority Appointment*
- Senator Paul Lundeen, *Senate Minority Appointment*

Subject Matter Advisors

- Mr. Wayne Artis, *Faculty Representative*
- Mr. Mark Cavanaugh, *IHEC Representative*
- Mr. Brad Baca, *Institutional Finance Representative*
- Dr. Landon Pirius, *Academic Council Representative*
- Ms. Misti Ruthven, *K-12 Representative*
- Ms. Leah Porter, *Parent Representative*

Governor Jared Polis Dr. Angie Paccione, Executive Director

1600 Broadway, Suite 2200, Denver, CO 80202 P 303.862.3001 F 303.996.1329 higher.ed.colorado.gov





INSTITUTION AND SYSTEM LEADERS

<u>INSTITUTION</u>	<u>CEO</u>	<u>LOCATION</u>
Adams State University	Dr. Cheryl Lovell, President	Alamosa
Aims Community College	Dr. Leah Bornstein, President	Greeley
Community College System	Joe Garcia, Chancellor	Denver
Arapahoe CC	Dr. Diana Doyle, President	Littleton
Colorado Northwestern CC	Ron Granger, President	Rangely
CC of Aurora	Dr. Betsy Oudenhoven, President	Aurora
CC of Denver	Dr. Everette Freeman, President	Denver
Front Range CC	Andy Dorsey, President	Westminster
Lamar CC	Dr. Linda Lujan, President	Lamar
Morgan CC	Dr. Curt Freed, President	Ft. Morgan
Northeastern JC	Jay Lee, President	Sterling
Otero JC	Dr. Timothy Alvarez, President	La Junta
Pikes Peak CC	Dr. Lance Bolton, President	Colorado Springs
Pueblo CC	Dr. Patty Erjavec, President	Pueblo
Red Rocks CC	Dr. Michele Haney, President	Lakewood
Trinidad State JC	Dr. Rhonda Epper, President	Trinidad
Colorado Mesa University	Tim Foster, President	Grand Junction
Colorado Mountain College	Dr. Carrie Besnette Hauser, President	Glenwood Springs
Colorado School of Mines	Paul Johnson, President	Golden
Colorado State System	Dr. Tony Frank, Chancellor	Denver
CSU-Ft Collins	Dr. Joyce McConnell, President	Fort Collins
CSU-Pueblo	Dr. Timothy Mottet, President	Pueblo
CSU-Global Campus	Vacant (8/1/2020)	Aurora
CU System	Mark Kennedy, President	
CU – Boulder	Dr. Philip DiStefano, Chancellor	Denver
UCCS	Dr. Venkat Reddy, Chancellor	Boulder Colorado
UCD	Dr. Dorothy Horrell, Chancellor	Springs Denver
UC-Anschutz	Don Elliman, Chancellor	Aurora, Denver
Emily Griffith Technical College	Stephanie Donner, Executive Director	Denver
Ft. Lewis College	Dr. Tom Stritikus, President	Durango
Metropolitan State University of Denver	Janine Davidson, President	Denver



Pickens Technical College	Teina McConnell, Executive	Aurora
Technical College of the Rockies	Allen Golden, Director	Delta
University of Northern Colorado	Dr. Andy Feinstein, President	Greeley
Western State Colorado University	Dr. Gregory Salsbury, President	Gunnison

Higher Education Glossary

529 Savings Plan - 529 plans are more than just savings accounts. These state-sponsored college savings plans were established by the federal government in Section 529 of the Internal Revenue Code to encourage families to save more for college. They offer unique state and federal tax benefits you can't get from other ways to save, making them one of the best ways to save for college.

Accuplacer - A suite of computer-adaptive placement tests that are used as assessment tools at institutions to evaluate the level of course work for a student. Students measured as needing additional course work will be assigned to remediation.

Admission Standard - includes both Freshman and Transfer standard. The freshman standard applies to all in-state and out-of-state new freshmen applicants and to transfer applicants with 12 or fewer college credit hours, except freshmen and transfer applicants who meet one of the admissions standards index exemptions. The transfer standard applies to all degree-seeking undergraduate transfer applicants with more than 12 college credit hours who do not meet one of the exemptions

Admission Window - Defined in Admission policy, "The maximum allowable percentage of admitted students who are not required to meet the CCHE admission standards within a specific fiscal year is referred to as the admissions window. Separate windows exist for the freshmen and transfer standards. The allowable percentage is determined by the Commission." The percentages vary by institution.

CAP4K - SB08-212, Preschool to Postsecondary Education Alignment Act; Colorado Achievement Plan for Kids.

CHEA - Council for Higher Education Accreditation. As described on their website, CHEA is "A national advocate and institutional voice for self-regulation of academic quality through accreditation, CHEA is an association of 3,000 degree-granting colleges and universities and recognizes 60 institutional and programmatic accrediting organizations."

CIP - Classification of Instructional Program; The purpose of which is to provide a taxonomic scheme that will support the accurate tracking, assessment, and reporting of fields of study and program completions activity. (Relevant in Role & Mission)

CLEP - College Level Examination Program; Earn college credit for passing a subject specific examination.

COA - Cost of Attendance; in the context of financial aid, it is an estimate of what it will reasonably cost the student to attend a given institution for a given period of time.

Concurrent Enrollment – A high school student enrolled for one or more classes at a college or university in addition to high school courses.

Dually Enrolled - A student enrolled at two institutions at the same time. This may affect enrollment reports when both institutions count that student as enrolled.

EFC - Expected Family Contribution; in the context of financial aid, it is calculated by a federally-approved formula that accounts for income, assets, number of family members attending college, and other information.

FAFSA - Free Application for Federal Student Aid. This is a free service provided by the Federal government under the Department of Education and students are not charged to complete/file the FAFSA.

FAP – Financial Aid Plan (HESP specific)

FERPA - Family Educational Rights and Privacy Act, view federal website. The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FFS – Fee-For-Service Contracts; A portion of the College Opportunity Fund program in addition to COF stipends, this contract provides funding to certain higher education institutions to supplement high cost programs and purchase additional services (such as graduate programs).

Floor - In reference to the admission window, the floor is the minimum requirements for admission without requiring an exception of some kind. This usually coincides with the Index score.

FTE - Full-time Equivalent; a way to measure a student's academic enrollment activity at an educational institution. An FTE of 1.0 means that the student is equivalent to full-time enrollment, or 30 credit hours per academic year for an undergraduate student.

GEARUP - Gaining Early Awareness and Readiness for Undergraduate Programs; A Federal discretionary grant program designed to increase the number of low-income students who are prepared to enter and succeed in postsecondary education.

Guaranteed Transfer, GT Pathways - gtPATHWAYS applies to all Colorado public institutions of higher education, and there are more than 900 lower-division general education courses in 20 subject areas approved for guaranteed transfer. Courses are approved at least twice per academic and calendar year and apply the next semester immediately following their approval.

HB 1023 - In most cases, refers to HB 06S-1023, which declares "It is the public policy of the state of Colorado that all persons eighteen years of age or older shall provide proof that they are lawfully present in the United States prior to receipt of certain public benefits."

HB 1024 - In most cases, refers to HB 06-1024, which declares "On or before September 1, 2006, each governing board of a state institution of higher education shall submit to the Colorado commission on higher education and the education committees of the senate and the house of representatives, or any successor committees, a report regarding underserved students".

HB 1057 - In most cases, refers to HB 05-1057, which declares "a college preparation program operating within the school district that the college preparation program shall provide to the Colorado commission on higher education, on or before December 31 of each school year, a report specifying each student, by unique identifying number."

HEAR - Higher Education Admission Requirements, 2008-2010.

Index, Index Score - This index score is a quantitative evaluation that is part of a larger student application evaluation. The score is generated from academic achievement (GPA or High School Rank) and college placement tests (ACT or SAT). You can calculate your index score online. Index varies by institution depending on that institutions selection criteria.

IPEDS - Integrated Postsecondary Education Data System; Run by NCES, this system collects statistical data and information on postsecondary institutions. The Colorado Department of Higher Education submits aggregated data on public institutions to IPEDS.

Need - In the context of student financial aid, Need is calculated by the difference between the COA (Cost of Attendance) and the EFC (Expected Family Contribution)

NCATE - National Council for Accreditation of Teacher Education; NCATE is the profession's mechanism to help establish high quality teacher preparation.

NCLB - No Child Left Behind; The No Child Left Behind Act of 2001 (NCLB) reauthorized the Elementary and Secondary Education Act (ESEA) -- the main federal law affecting education from kindergarten through high school.

PSEO - Post Secondary Enrollment Option; A program that offers concurrent enrollment in college courses while in high school.

PWR - Postsecondary and Workforce Readiness; Definition was created during the SB08-212 CAP4K meetings.

QIS - Quality Indicator System; Implemented in HB96-1219, the specific quality indicators involved in QIS are similar to those used in the variety of quality indicator systems found in other states: graduation rates, freshmen retention and persistence rates, passing scores or rates on tests and licensure examinations, undergraduate class size, faculty teaching workload rates, and institutional support/administrative expenditures.

REP - Regional Education Provider; Colorado Statute authorizes Adams State College, Fort Lewis College, Mesa State College and Western State College to function as regional

educational providers and “have as their primary goal the assessment of regional educational needs...”
Regional education providers focus their attention on a certain geographical area.

SB 3 – In most cases refers to SB10-003, the Higher Education Flexibility Bill.

SB 212 - In most cases, refers to HB 08-212, the CAP4K legislation.

SBE - State Board of Education; As described on their website, "Members of the Colorado State Board of Education are charged by the Colorado Constitution with the general supervision of the public schools. They have numerous powers and duties specified in state law. Individuals are elected on a partisan basis to serve six-year terms without pay."

SFSF – State Fiscal Stabilization Fund; A component of the ARRA legislation and funding.

SURDS - Student Unit Record Data System

WICHE - Western Interstate Commission for Higher Education; A regional research and policy organization that assists students, policymakers, educators, and institutional, business and community leaders. WICHE states include: Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming.

WUE - Western Undergraduate Exchange Program, managed by WICHE