

2013 Session Legislative Summary

Colorado Department of Higher Education
May 2013

Four Parts

- ▶ (1) Budget FY 2013–14
- ▶ (2) DHE 2013 Agenda Bills
- ▶ (3) Other Higher Ed Bills
- ▶ (4) Higher Ed Bills—Postponed Indefinitely

(1) Budget FY 2013-14

Funding to Public Institutions of Higher Ed:

- State Funding to Public Institutions of Higher Education was at its peak in FY 2008-09...

\$706 Million (General Fund/COF & ARRA)

- State Funding to Public Institutions of Higher Education increases for first time since FY 2008-09...

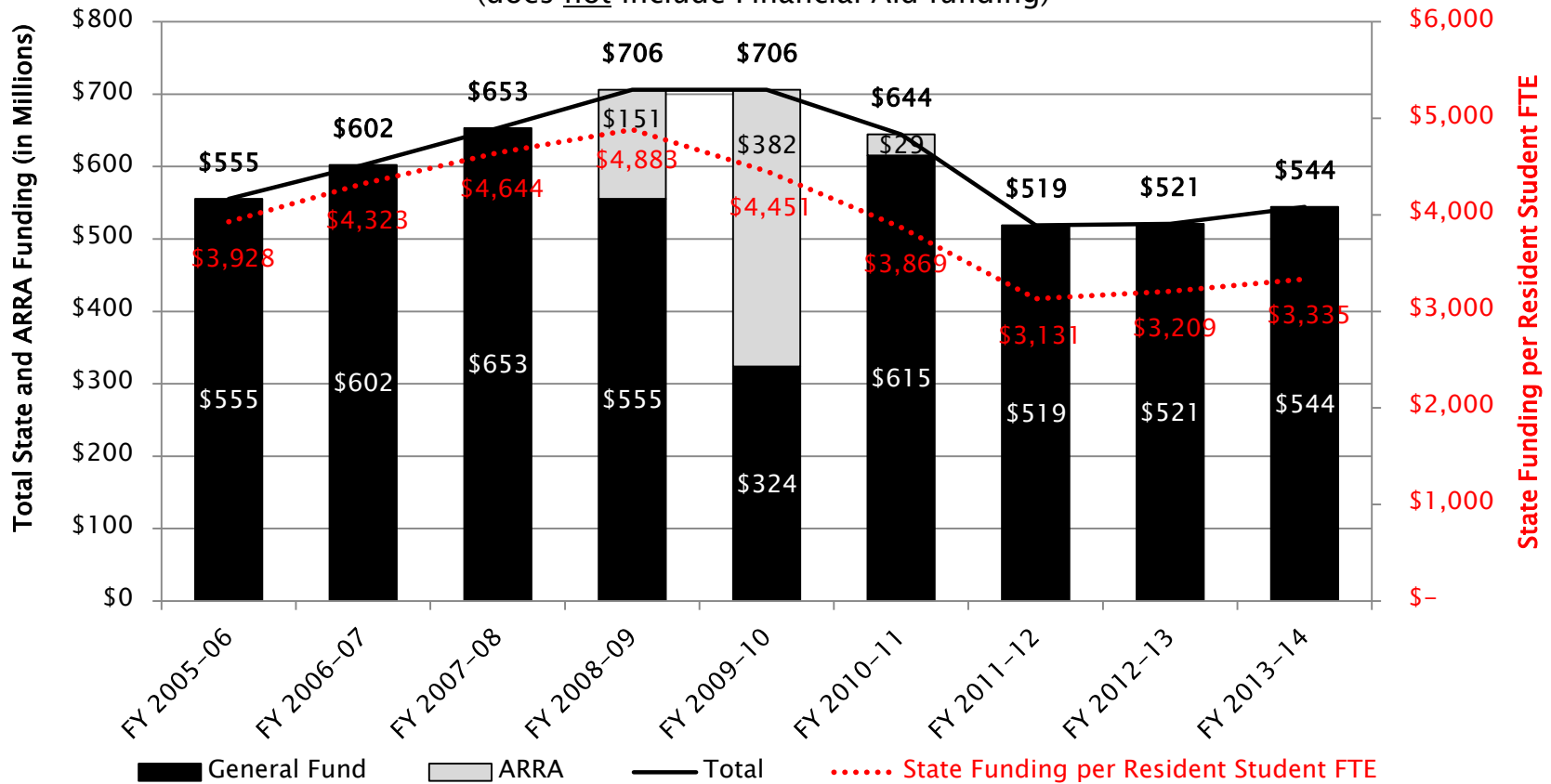
\$544 Million (General Fund/COF)

	<u>Total Funding</u>	<u>Per Resident SFTE</u>
◦ FY 2008-09 =	\$706 M	\$4,883
◦ FY 2013-14 =	\$544M	\$3,335
\$ CUT =>	<\$162> M	<\$1,548>
% CUT =>	<22.9%>	<31.7%>

(1) Budget FY 2013-14

State Funding for Public Institutions of Higher Education

(does not include Financial Aid funding)



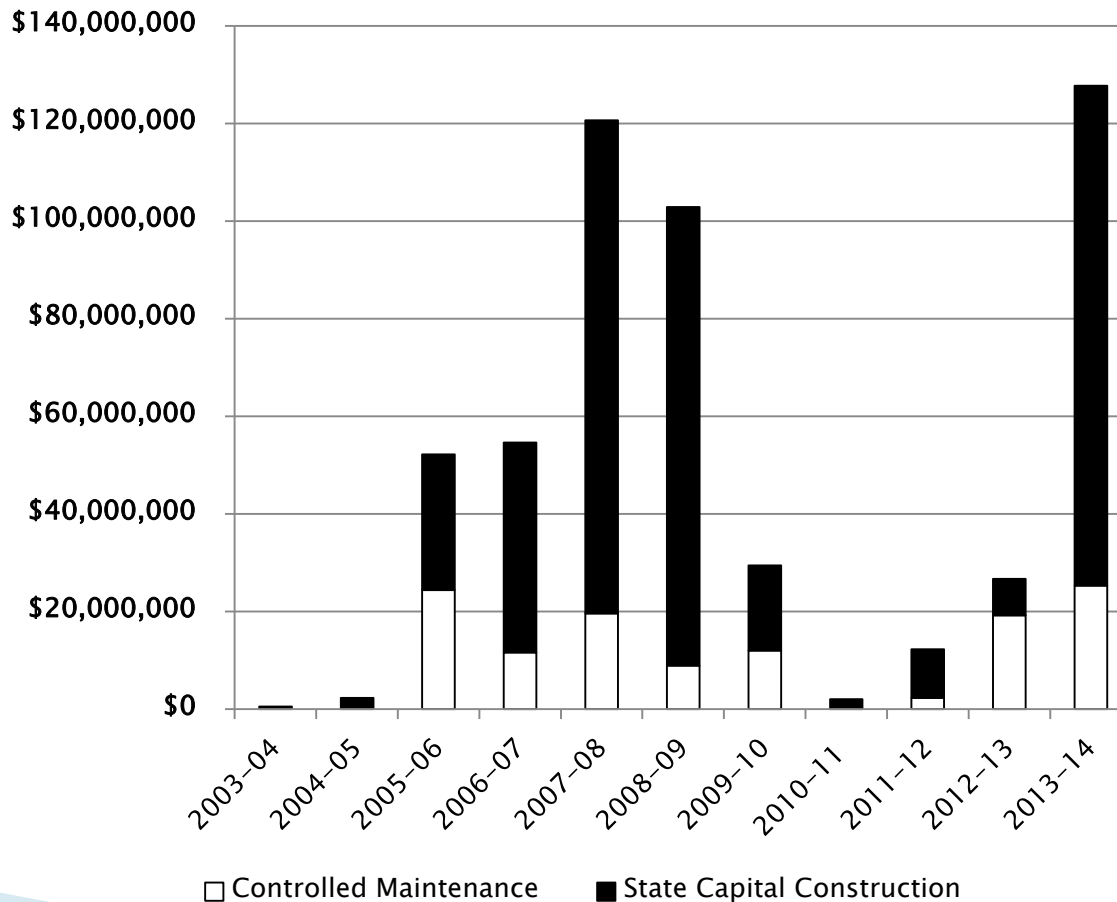
(1) Budget FY 2013-14

State Funded Capital Construction by Fiscal Year

Year	State Capital Construction*	Controlled Maintenance*
1999-00	\$119.3	\$27.0
2000-01	\$123.0	\$26.7
2001-02	\$61.6	\$25.5
2002-03	\$6.6	\$0.2
2003-04	\$0.5	\$0
2004-05	\$2.3	\$0
2005-06	\$27.8	\$24.4
2006-07	\$43.0	\$11.6
2007-08	\$101.0	\$19.6
2008-09	\$94.0	\$8.9
2009-10	\$17.4	\$12.0
2010-11	\$2.0	\$0.1
2011-12	\$10.0	\$2.3
2012-13	\$7.5	\$19.2
2013-14	\$102.3	\$25.3

(1) Budget FY 2013-14

State Funded Capital Construction by Fiscal Year



(1) Budget FY 2013-14

FY 2013-14 Capital Funding: Institutional Breakdown

Institution	Capital Construction		Controlled Maintenance		Total Appropriation
	# Projects	Appropriation	# Projects	Appropriation	
Adams State University	1	\$18,885,628	2	\$1,489,477	\$20,375,105
Auraria Higher Education Center (CCD, UCD, MSU Denver)	1	\$4,000,000	2	\$1,656,734	\$5,656,734
Colorado Community College System	3	\$17,056,300	17	\$8,105,956	\$25,162,256
Colorado Mesa University	1	\$9,791,760	3	\$1,473,214	\$11,264,974
Colorado School of Mines	0	\$0	2	\$494,025	\$494,025
Colorado State University System	1	\$16,179,939	5	\$3,996,835	\$20,176,774
Fort Lewis College	0	\$0	2	\$1,100,675	\$1,100,675
Metro State University of Denver	(See AHEC)				
University of Colorado System*	3*	\$17,844,246	8	\$5,576,286	\$23,420,532
University of Northern Colorado	0	\$0	1	\$935,700	\$935,700
Western State Colorado University	0	\$0	2	\$518,313	\$518,313
Federal Mineral Lease COP Payments**	1**	\$18,587,975	0	\$0	\$18,587,975
Higher Education Total	11	\$102,345,848	44	\$25,347,215	\$127,693,063

* For Anschutz Medical Campus Certificates of Participation (COP) payments

** FML COP issued in FY 2008 for the following projects: AHEC Science Building, CMU Wubben Hall, CNOC Academic Building (Craig Campus), CSM Brown Hall, CSU Clark Building, CSU-P Academic Resources Center, FLC Berndt Hall, FRCC Science Classroom, MCC Nursing, Health and Science Building, UCCS Science Building, and UNC Butler Hancock, and WSCU Taylor Hall.

(1) Budget FY 2013–14

Tuition Increase:

- Senate Bill 10–003 provides Governing Boards a 5 year period of tuition setting authority at a rate of 9% per undergraduate resident student (FY 11–12 to FY 15–16).
- Governing Boards may request tuition setting authority above a rate of 9% per undergraduate resident student through a CCHE approved “Financial Accountability Plan” (FAP).
- All Governing Boards operate pursuant to a FAP with the exception of Mines.
- For FY2013–14, only 2 boards are expected to increase undergraduate resident tuition above 9%.

(1) Budget FY 2013-14

Institution	FY 2012-13 Tuition only (30 credit hrs)	FY2013-14 Tuition only (30 credit hrs)	Dollar Increase	% Increase
Adams State University	\$3,816	\$4,427	\$611	16.0%
Colorado Community College System	\$3,383	\$3,586	\$203	6.0%
Colorado Mesa University	\$6,102	\$6,438	\$336	5.5%
Colorado School of Mines	\$13,590	\$13,590	\$1,005	8.0%
Colorado State University System	CSU: \$6,875	\$7,494	\$619	9.0%
	CSU-P: \$5,494	\$5,494	\$0	0.0%
Fort Lewis College	\$4,800	\$5,232	\$432	9.0%
Metropolitan State University of Denver (Estimate)	\$4,304	\$4,691	\$387	9.0%
University of Colorado System	UCCS: \$7,050	\$7,473	\$423	6.0%
	UCD: \$7,980	\$8,459	\$479	6.0%
	UCB: \$8,056	\$8,760	\$704	8.7%
University of Northern Colorado (Estimate)	\$5,464	\$5,737	\$273	5.0%
Western State Colorado University	\$4,627	\$5,275	\$648	14.0%

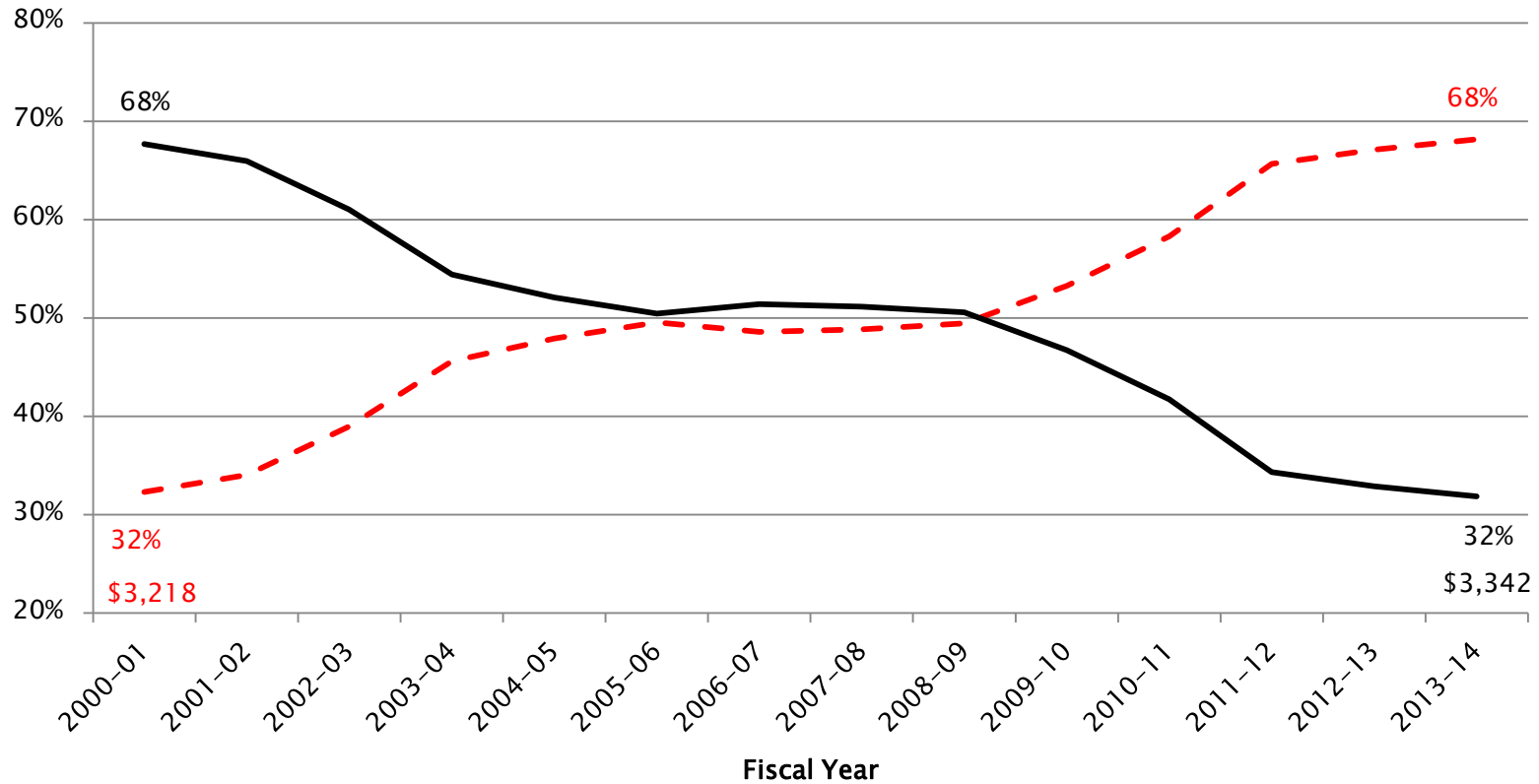
Note: The tuition figures identified here are considered "Base Tuition Rates" (30 credit hours) and do not include tuition differentials, etc. No fees are identified in these figures.

(1) Budget FY 2013-14

Average Resident Student's Share of College
(Tuition vs. State Funding)
All Governing Boards
(adjusted for inflation in 2013 dollars)

\$9,960
\$6,742

\$10,619
\$7,277



\$3,218

\$3,342

--- Student Share (Resident Tuition) — State Share (General Fund)

(2) DHE Agenda Bills

Senate Bill 13-033

ASSET Bill

“In-State Classification CO High School Completion”

(Giron & Johnston / Duran & Williams)

Senate Bill 13-053

“Exchange of Student Data K-12 and Postsecondary”

(Kerr / Hamner)

Senate Bill 13-206

“Direct Deposit Income Tax Refunds College Savings”

(Hudak & Renfroe / Petterson & Priola)

(2) DHE Agenda Bills

Senate Bill 13-033

“ASSET Bill—In-State Classification CO High School Completion”

- ▶ Allows undocumented students to receive a standard in-state rate of tuition as long as the student:
 - Attended a public or private high school in Colorado for 3 or more years immediately preceding the date the student graduated from a Colorado high school or earned his or her GED in Colorado; and
 - Is admitted to an institution in Colorado within 12 months after graduating from high school or earning a GED certificate.
 - Must submit an affidavit to the institution stating that they have, or are going to, apply for legal citizenship status.
 - Affidavit (developed in conjunction with Colorado Attorney General Office) provided through the College Opportunity Fund website.
 - The institution shall not count the student as a resident for any purpose other than tuition classification, except that the student is eligible for the College Opportunity Fund student stipend (\$1,920 in FY 13-14).

(2) DHE Agenda Bills

Senate Bill 13-053

“Exchange of Student Data K-12 and Postsecondary”

- ▶ Builds on and clarifies existing legislation that enables K-12 and higher education to share data.
- ▶ Existing laws:
 - SB 06-024 (Spence / Paccione): Required all public colleges and universities to collect K-12 ids (SASID)
 - HB 08-1364 (Benefield & Massey / Windels): Enabled the development of statewide longitudinal data systems
 - HB 09-1285 (Benefield / King, K.): Created Education Data Subcommittee to develop a statewide comprehensive P-20 education data system
- ▶ Concept developed in collaboration with campus and department research officers.
- ▶ Charges DHE and CDE to formally create a procedure to assist college campuses with collecting information required by existing state law.
- ▶ Enables state departments to collaborate to improve efficiencies in college admission and placement processes
- ▶ No additional costs to institutions of higher education or local education agencies.

(2) DHE Agenda Bills

Senate Bill 13-206

“Direct Deposit Income Tax Refunds College Savings”

- Gives Colorado taxpayers the option of routing their state tax refunds into a CollegenInvest 529 savings account (example illustrated below):

REFUND

44. REFUND Subtract line 43 from line 26. 44 | 00

File using Revenue Online and enter Direct Deposit information to get your refund in half the time!

Direct Deposit

Routing number Type: Checking Savings CollegenInvest 529

Account number

For questions regarding CollegenInvest direct deposit or to open an account call 800-448-2424 or visit CollegenInvest.org

- Pursuant to existing state law, contributions to a CollegenInvest 529 college savings plan are tax deductible from an individual’s state income tax liability in the year of contribution.
- CollegenInvest 529 account funds may be used at any public or private vocation or trade school, community college, or university, anywhere in the country.
- DOES NOT CREATE A NEW TAX CHECKOFF. It simply allows taxpayers the option of routing their refunds into college savings plans.
- Any taxpayer receiving a refund—students, parents, or grandparents—can reap the benefits offered in this bill.

(3) Other Higher Ed Bills

- SB 13-028** **“Track Utility Data High Performance State Building”** **(Jones / Tyler)**
This bill requires institutions to monitor, track , report, and verify utility bill data on state-funded buildings (built after 7/1/13) to determine whether the cost to achieve the highest performance certification is recouped.
- SB 13-031** **“Tuition for Dropout Recovery Program Students”** **(Giron / Pettersen)**
This bill requires a local education provider who has a contract with a community college to operate a dropout recovery program to pay the student share of tuition for said program when a student enrolls in the course. This changes the provisions HB12-1146, which required a local district provider to pay the community college tuition for a dropout recovery program when a student completes said course.
- SB 13-042** **“Foreign Assistant Med Professor Renew Physician License”** **(Morse / Waller)**
Current law allows distinguished foreign teaching physicians to be licensed to practice medicine at a state medical school. To renew the license, the distinguished foreign teaching physician must serve as a full-time member of its academic faculty at a rank equal to an associate professor or higher. Assistant professors cannot renew their licenses. The bill allows an assistant professor who is a distinguished foreign teaching physician to renew his or her license.
- SB 13-071** **“Student ID Number for Adult Education Programs”** **(Hudak / Fields)**
This bill expands the duties of the Educational Data Subcommittee (EDS) to identify a method for assigning a unique student identifier for students enrolled in adult basic education programs of GED programs, if feasible.
- SB 13-090** **“Supplemental Appropriation Dept. of Higher Ed”** **(Steadman / Levy)**
Supplemental appropriations are made to the department of higher education (\$513M + \$8M = \$521M).

(3) Other Higher Ed Bills

- SB 13-133** **“Distribution State Share of Ltd. Gaming Revenues”** **(Steadman / Gerou)**
Changes the distribution of the Limited Gaming Fund from a percentage-based amount to fixed-dollar amounts. Changes to higher education were to the Bioscience Discovery Evaluation Cash Fund and to the Innovative Higher Education Research Fund.
- SB 13-178** **“Red Rocks Physician Assistant Graduate Program”** **(Hudak / Hamner)**
Allows Red Rocks Community College to maintain its Physician Assistant Studies program by changing role and mission to authorize Red Rocks Community College to confer a graduate degree to students who complete the Physician Assistant Studies program. Bill in response to changes from the PA accrediting agency, the sponsor of the program must confer a graduate degree upon completion of the program. Currently, Red Rocks Community College offers a certificate program in physician assistant studies. Through an affiliation with St. Francis University in Pennsylvania, students may obtain a master of medical science degree.
- SB 13-199** **“Higher Education Revenue Bond Intercept Program”** **(Giron / Fischer)**
This bill replaces the requirements for participating in the intercept program with a credit test and a coverage test. Currently, the intercept program’s borrowing limit for institutions of higher education is based on the amount they receive in COF fee-for-service contract revenue for the prior year.
- SB 13-251** **“Driver’s License & Identification Documentation”** **(Ulibarri / Melton)**
This bill allows officials to issue a driver’s license or identification card to a person who is not lawfully present in the U.S. The person must prove their Colorado residency, Colorado income tax returns, and proof of identity from the country of origin. The driver’s license or identification card will have the words “Not Valid for Federal Identification, Voting, or **Public Benefit Purposes**” printed on the front.

(3) Other Higher Ed Bills

- HB 13-1004** **“Colorado Careers Act of 2013”** **(Duran & Melton / Kerr)**
Requires that the Department of Human Services administer a transitional jobs program to provide unemployed and underemployed adults the opportunity to learn successful workplace skills.
- HB 13-1005** **“Basic Ed & Career & Tech Ed Pilot Program”** **(Fields & Buckner / Todd)**
This bill authorizes the State Board for Community Colleges and Occupational Education to design an accelerated certificate program to allow unemployed or underemployed adults to obtain a career and technical education certificate in less than 12 months. If implemented, the institution are required to report participation information to DHE.
- HB 13-1026** **“WICHE Equipment & Renovation Fee Appropriation Requirement”** **(Fischer / Schwartz)**
This bill removes the requirement for the WICHE Fee Cash Fund (for equipment and renovation) to be appropriated by the general assembly. The elimination of the appropriation requirement will allow capital construction projects funded through this fee to conform to the existing streamlined approval process for higher education cash-funded capital projects.
- HB 13-1041** **“Procedures for Transmission of Records Under CORA”** **(Pettersen / Kefalas)**
Upon request by a person seeking a copy of any public record under CORA, the public entity must send the records within three business days of receipt of payment. For records that are sent by e-mail, the public entity is not permitted to charge fees.
- HB 13-1057** **“Retain Avalanche Information Center in DNR”** **(Mitsch Bush/Nicholson)**
This bill would reverse the parts of HB12-1355 that transferred the Colorado Avalanche Information Center (CAIC) to the Colorado School of Mines. It would instead be remain in the Department of Natural Resources (DNR). It also creates a cash fund for use by DNR for direct and indirect costs of CAIC.

(3) Other Higher Ed Bills

- HB 13-1147** **“Voter Registration at Public Higher Ed Institution”** **(Melton / Newell)**
This bill requires a state institution of higher education to provide its students, when a student electronically registers at the institution for each term, a link to the online voter registration website operated by the Secretary of State. If an institution does not use electronic registration, it must provide students with information on voter registration.
- HB 13-1165** **“Creation of a Manufacturing Career Pathway”** **(Wilson /Heath)**
This bill requires the SBCCOE, in consultation with DHE, CDE, and CDLE, to create a manufacturing career pathway program. The manufacturing career pathway shall connect school districts, community colleges, and 4-year institutions with adult education programs and local workforce development programs. The DHE and the CDLE must make information concerning the program available on collegeincolorado.org.
- HB 13-1194** **“In-State Tuition for Military Dependents”** **(Everett / Marble)**
This bill allows all dependents of members of the armed services who moves to CO on a “*permanent change-of-station basis*”, including children and spouses, to be eligible for in-state status at a Colorado public institution of higher education. A spouse must have been the spouse when the service member was stationed in CO and the child must have been under the age of 22 and enroll in an institution of higher education within 10 years of the member being stationed in CO. The child is not required to have graduated from a CO high school. (10 new students projected through fiscal note.)
- HB 13-1219** **“Statutory Changes to K-12 Information”** **(Hamner / Todd)**
This bill makes several changes to existing statute concerning K-12 education. Specifically, it removes obsolete reporting requirements for the ASCENT program, requires the state board to adopt criteria that a local school board, BOCES, or institute charter high school can use to endorse high school diplomas, among other changes including realigning educator preparation reporting requirements.

(3) Other Higher Ed Bills

HB 13-1230 **“Compensation for Persons Wrongly Incarcerated”** **(Williams / Guzman)**

This bill aims to compensate people who have been wrongly incarcerated. That compensation includes tuition waivers at higher education institutions, if the exonerated person was incarcerated for at least 3 years. CCHE shall implement a policy where each institution of higher education in the state shall waive tuition costs for an exonerated person.

HB 13-1263 **“Private Occupational School Requirements”** **(Primavera / Heath)**

This bill repeals the exemption for nonprofit private occupational schools and makes them subject to authorization and regulation by the Private Occupational School Board. In addition, this bill makes changes to the Private Occupational School Board composition as well as technical changes.

HB 13-1292 **“Keep Jobs in Colorado Act”** **(Lee & Pabon / Kerr & Nicholson)**

This bill makes changes to contracting requirements for state and local government agencies. This bill directs the Department of Labor and Employment (CDLE) to enforce the Colorado Labor Requirement, which requires contractors to use at least 80% Colorado labor for a “public works contracts”, modifies the preference for resident builders, and adds a competitive sealed best value bidding requirement. Additionally, it encourages contractors to use supplies from the United States and Colorado, and prohibits outsourcing.

HB 13-1297 **“Ft. Lewis and School of Mines Invest Authority”** **(McLachlan / Roberts)**

This bill grants the board of trustees of Colorado School of Mines and the board of trustees of Fort Lewis College investment authority and fiduciary responsibility for all of their funds and appropriations. These institutions cannot request any General Fund dollars to replace loss incurred from investment activities. (CU, CSU and CMU already have this authority.)

(3) Other Higher Ed Bills

HB 13-1299 **“Changes to the SMART Government Act Of 2010”** **(Ferrandino / Steadman)**

This bill repeals and reenacts the SMART Government Act with amendments. It clarifies that DHE’s Master Plan in conjunction with the institutions’ performance contracts (pursuant to SB11-052) will satisfy the requirements of the SMART act. Copies of the Master Plan and the performance contracts must be submitted to the JBC and appropriate committee of reference.

HB 13-1315 **“Higher Ed Undergrad Student Health Ins Requirement”** **(Fischer / Kefalas)**

This bill repeals the prohibition that the governing board of an institution of higher education may not require an undergraduate student to purchase health care insurance. It therefore allows a governing board to require its undergraduate students to have health insurance, but does not require that they do so.

HB 13-1320 **“Support for Meritorious Colorado Students”** **(Waller & Hullinghorst / Heath)**

In order to maintain the ratio of in-state students to out-of-state students at Colorado institutions of higher education, a student who is admitted as a “Colorado Scholar” can be counted as 2 in-state students. To qualify as a “Colorado Scholar,” the student must be in the top 10% of his or her high school class or have a 3.75 high school G.P.A. Each “Colorado Scholar” must receive at least \$2,500 in aid.

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