

SECTION VI

PART C TUTION AND FEES

1.1 General Description and Intent

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

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

It is the intent of the Commission that the following will be considered when Governing Boards are setting tuition and fee rates:

- Be done in an open and transparent manner, including providing opportunities for student input.
- Promote clarity, simplicity and predictability for students, families and public institutions of higher education.
- Be consistent with the goals of the Colorado Commission on Higher Education's Master Plan ~~Senate Bill 10-003 (S.B. 10-003)~~, and strive to maintain access and affordability for resident students.
- Reflect the need of each institution to enhance the quality of educational programs and offerings, strengthen the financial position of the institution and support institutional strategic plans and goals.

1.50 Definition of Key Terms

- Academic Course: For purposes of this policy, includes all instruction, including, but not limited to: academic, vocational, occupational, technical, music, and physical education courses.
- Academic Facilities Construction: Includes buildings and site improvements, or

specific space within a multi-use building (including utilities and transportation infrastructure) as defined in C.R.S. 24-75-301. The determination of whether it is an academic facility or space shall be determined based on the function/purpose of the building or space. Academic Facilities are those facilities that are core to the role and mission of the institution and may include, but not be limited to, space dedicated to instructional, student services, or administration. If a multi-purpose building, the space determination shall be based on the primary usage of the space during the regular academic year.

- Auxiliary Facility: As defined in C.R.S. 23-5-101.5 (2) (a).
- Fees: Any amount, other than tuition, that is assessed to all individual students as a condition of enrollment in the university. Fees may be used for academic and non-academic purposes, including, but not limited to: funding registered student organizations and student government; construction, remodeling, maintenance and improvement of student centers, recreational facilities, and other projects and improvements for which a facility fee is approved; intercollegiate and intramural athletics; student health services; technology; mass transit; parking; and bond payments for which fees have been pledged.
- Institution of Higher Education: Means any state-supported institution of higher education in Colorado and the Auraria Higher Education Center. For purposes of this section, does not include local district junior colleges or the area vocational schools.
- Cost Sharing Matrix: An analytical tool used to calculate possible tuition increase limits by utilizing fixed costs governing boards must meet in order to maintain and enhance the quality of their institutions and the relationship of those costs to state funding levels.
- Tuition Increase Limit: Means an annual tuition rate increase limit, cap (including no limit or cap), or guideline established by CCHE on resident undergraduate tuition rate increases.

2.1 Tuition Policy—Establishment of Tuition Increase Limit

Tuition increases are a function of costs and how those costs are shared among the state, student and institution. Because state appropriations are the key incentive to keeping tuition low, the condition of the state general fund and state investment levels in higher education are at the core of the Commission’s tuition policy.

For each fiscal year, the Commission will establish a Tuition Increase Limit for resident undergraduate students. In doing so the Commission, in consultation with the governing boards, will develop a Cost Sharing Matrix, which shall recognize:

- The condition of the state general fund and state investment levels in higher education;

- Fixed costs institutions must meet in order to maintain and enhance the academic programs and offerings; and
- Institutional differences including: mission; tuition capacity; historical practices; charging methodology; state funding levels; peer competitors; geographical location; and student demographics.
- Any additional information deemed appropriate by the Commission.

The Commission shall include the Tuition Increase Limit in the annual budget request and issue an annual memorandum to the governing boards specifying the Tuition Increase Limit for the upcoming fiscal year.

Governing boards shall have the authority to raise tuition rates for resident undergraduate students within the specified Tuition Increase Limit, if applicable. Tuition rates for nonresident students and resident graduate students are not subject to the provisions of this section.

Tuition limits or restrictions imposed by the General Assembly will supersede any Tuition Increase Limit adopted by the Commission and effectuate the Commission's Tuition Increase Limit null and void.

2.2 Statutory Authority

C.R.S. § 23-1-108(12)(b): For Fiscal years beginning on or after July 1, 2016, the Commission shall establish tuition policies based on institutional role and mission, and the governing boards shall set tuition consistent with said policies.

C.R.S. § 23-5-129(6)(c): “While operating pursuant to a performance contract negotiated pursuant to this section, the governing board of a state institution of higher education”...such institution “shall report to the Colorado commission on higher education its plans for any tuition or other proposed increases for the following fiscal year, using approved forms, for the commission to review and make recommendations to the general assembly during the annual budget process.”

C.R.S. § 23-18-306(5): “Commission shall submit to the Joint Budget Committee and to the Education Committees”...“tuition policies that ensure both accessible and affordable higher education for Colorado residents.”...“Must also reflect the level of state funding”...“the need of each institution to enhance the quality of education programs and offerings and strengthen the financial position of the institution.”

In times of emergency, certain students (including reserve military units, individuals with specialized skills, or firefighters) are called to provide services to the country.

When the call for service or national emergency is issued, it is often necessary for students to interrupt their coursework in mid-semester without advance notice. Public two-year and four-year institutions' policies should explicitly recognize that normal withdrawal and refund policies may not be appropriate and make provisions

for individuals who leave the institution mid-semester to respond to a state or national emergency, including:

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

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

3.1 Student Fee Policy

C.R.S. 23-1-105.5(1) tasks the Commission to “adopt policies concerning the collection and use of student fees by the governing boards of the state institutions of higher education, as defined in 23-5-119.5 C.R.S. The policies may address, but need not be limited to, the purposes for student fees, categories of student fees, the distinctions between tuition revenue and student fee revenue, accounting for student fee revenue, student fee fund balances, the minimum level of student involvement in the processes for establishing, reviewing, and changing the amount of, and discontinuing student fees...”

In accordance with C.R.S. 23-5-119.5(3), student fees and the use of student fee revenues should provide benefit to students consistent with the stated purpose of the fee by covering related costs including, but not limited, to:

- The construction, maintenance, furnishing, and equipping of buildings and

infrastructure;

- Specific courses or programs that benefit the students who choose to enroll in the course or program;
- Student-centered facilities, services, or activities such as student centers, recreation facilities, technology, parking lots, child care, health clinics, mandatory insurance, student government, and other student organizations or activities; and
- Registration costs, costs for student orientation and graduation, and those incurred to communicate with students and their family.

Student fees should be used to support and enhance the overall student experience. Student fees and the use of student fee revenue may benefit students both directly and indirectly. For example, given capital construction timelines some students currently attending an institution may not benefit as directly from fees for capital improvements, however, up-to-date facilities enhance and support the overall student experience and ultimately increase the value of the degree conferred. Likewise, a student may not take advantage of all the programs funded through specific fees, but these fees benefit the student body as a whole.

House Bill 11-1301 made significant changes to State statutes regulating fee policy. Part of the intent of the legislation was to provide greater flexibility at the governing board level to determine fee policy while protecting opportunities for student input and allowing for greater transparency and disclosure. Commission fee policy is consistent with this legislative intent.

3.1 **Governing Board Duties**

3.1.1 Each governing board shall adopt for each institution it governs an Institutional Plan for Student Fees within the requirements outlined in Section 3.02 below.

3.1.2 Each institution of higher education, including the Auraria Higher Education Center, shall give at least a thirty-day notice to students of any fee assessment or increase. At a minimum, such notice shall specify:

- The amount of the new fee or fee increase;
- The reason for the fee assessment or increase;

The purpose for which the institution will use revenues received from the fee assessment or increase;

- Whether the fee assessment or increase is temporary or permanent and, if temporary, the repeal date for the fee assessment or increase; and

- Any additional requirements as outlined in the institution's student fee plan.

3.1.3 "Each governing board shall annually review the institutional plan for student fees and approve any new fees or changes to existing fees.

3.1.4 Each governing board shall establish appropriate methods for receiving meaningful student input that consider the unique student-body characteristics of its institution, necessary to establish and set student fees and fee rates. The established level of student input for all fees shall be listed in the Institutional Plan for Student Fees as outlined in section 3.02.

3.1.5 For all Four-Year Institutions - The administration of each institution, in consultation with student representatives, shall establish a fee policy for such institution. Such policy shall be subject to the modification and approval of the governing board of the institution, in accordance with the requirements of the Institutional Plan for Student Fees as outlined in section 3.02.

3.1.6 For all Colorado Community College System Institutions - The State Board for Community Colleges and Occupational Education shall meet with the Student Advisory Council, established in C.R.S. 23-60-104, to establish a fee policy for all institutions under its control. Such policy shall be subject to the modification and approval of the board, in accordance with the requirements of the Institutional Plan for Student Fees as outlined in section 3.02.

3.1.7 For Institutions Located at the Auraria Campus - The administration of the Auraria Higher Education Center and the Student Advisory Council to the Auraria Board (SACAB) shall establish a fee policy for the institutions located at the Auraria Campus. Such policy shall be for all fees assessed by the Auraria Higher Education Center and is in addition to the policy each institution will have with its respective governing board. The policy shall be consistent with the requirements of section 3.06 and C.R.S. 23-70-107 relating to student fees assessed by the Auraria Board. Such policy shall be subject to the modification and approval of the board, in accordance with the requirements of the Institutional Plan for Student Fees as outlined in section 3.02.

3.1.8 The student body of the institution, through its duly elected student government may institute rules and processes for assessing student input, including referenda and student government resolutions. No new fee, fee increase, or fee extension that is defeated by a vote of the student body may be resubmitted for a student vote until the following regularly scheduled student government election.

3.2 Institutional Plan for Student Fees:

All fees are subject to the requirements of C.R.S. 23-5-119.5 and section 3.02 of this policy. Governing boards must ensure the opportunity for student involvement in the development and subsequent revisions to the applicable institutional plans for student fees. A governing board shall review its institutional fee plans annually.

Institutional fee plans shall be publicly available on the individual institution's website.

A current and accurate copy of each institution's Institutional Plan for Student Fees and any revisions to the plan must be filed with the Department of Higher Education (DHE) by September 1st of each year with the Tuition and Fee Survey outlined in section 5.00.

Institutional Plans for Student Fees are to contain information, guidance, policies, and procedures with regards to all fees assessed at the institution. Each Institutional Plan for Student Fees shall include, but not be limited to, the following components:

- Definition and categorization of all student fees based on categories deemed relevant by the governing board. Description of the purposes for each fee established at the institution(s).
- Established procedures and the method and level of student participation in establishing, setting, reviewing, modifying, and discontinuing student fees and fee rates at the institution.
- An established complaint resolution process for disputes on the imposition or amount of a student fee.”
- A time frame for budget approval and board action on tuition and fees.
- Language that specifies whether to allow for the use of student fees or tuition for academic facilities construction and describes the method and level of student involvement in any such decision. Established procedures for any student vote or referendum relating to student fees.
- A list and description of any administrative costs charged to students or student groups for the administration of the student fee. These costs may vary by type or category of fee.
- Established procedures for the institutional review of fee fund balances. The institution shall determine the threshold at which such reviews are required and may utilize different thresholds for different fees.

A clear and transparent process for the regular review and evaluation of: fee rate assessments, fee expenditures, and institution fee policies. The institution may determine whether such reviews are to be conducted by institutional administration, independent internal entities (e.g., departments and offices review each other), or independent, external entities. The processes may vary by type or category of fee.

3.3 Disclosure Requirements:

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

This requirement shall apply to fees; however, such itemization shall not be required for any academic and instructional fee that is specifically listed in the course catalogue.

- If a governing board uses revenues from a general student fee for the repayment of bonds or other debt obligations, the governing board shall specify the portion of the general student fee that is actually applied to repayment of the bonds or other debt obligations.

3.3.1 Each institution shall provide a tuition calculator on its website to enable prospective students, current students, and the general public to accurately assess the cost of attendance at the institution.

Each institution shall make information available to students and the general public on its website containing a description of all current fees, including the purposes for which the institution uses revenues from the fees.

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

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

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

3.04 Fees Related to Bonds Issued on Behalf of Auxiliary Facilities

All governing boards shall follow the procedures outlined in statute regarding fees related to bonds issued on behalf of auxiliary facilities. Procedures for fees related to bonds issued on behalf of auxiliary facilities are outlined in C.R.S. 23-5-119.5

4.00 Use of Tuition and Fees for Academic Facilities Construction

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

5.00 Reporting Requirements

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

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

5.2 Tuition and Fee Report

By January 15 of each year, the DHE will submit to the Commission for approval and distribution to the Education Committees of the House of Representatives and the Senate of the Colorado General Assembly a report summarizing:

- Tuition decisions made by each Governing Board and their consistency with Commission policy and legislative intent.
- Fee decisions made by each Governing Board and their consistency with Commission policy.

- Significant changes or trends in tuition and fees throughout the state.

6.00 Tuition and Fee Appropriation Over-Expenditure

Anytime a governing board exceeds its appropriation for tuition set by the General Assembly in the long bill, the Department of Higher Education will review the reasons for the increase in revenue, in order to determine that tuition policies have been followed, and whether a supplemental appropriation for spending authority should be requested.

Governing boards shall notify the Department of any projected over-expenditure in tuition spending authority following the deadlines established in the budget calendar. If the over-expenditure is due to increases in enrollment the Commission may transfer spending authority from the Enrollment/Tuition Contingency line from the annual long bill to the requesting Governing Board(s).

~~Pursuant to S.B. 10-003 the requirements of this paragraph 6.00 do not apply from FY 2011-12 through FY 2015-16.~~