

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 18-0895.01 Brita Darling x2241

SENATE BILL 18-206

SENATE SPONSORSHIP

Priola and Kerr, Garcia, Holbert, Todd, Guzman, Martinez Humenik, Neville T.

HOUSE SPONSORSHIP

Arndt and Wist, Becker K., Bridges, Buckner, Coleman, Exum, Hooton, Liston, Lundeen, Michaelson Jenet, Pettersen, Reyher, Van Winkle

Senate Committees

Education
Appropriations

House Committees

Education
Appropriations

A BILL FOR AN ACT

101 **CONCERNING ENSURING AFFORDABILITY AT PUBLIC RESEARCH**
102 **UNIVERSITIES IN COLORADO, AND, IN CONNECTION THEREWITH,**
103 **MAKING AN APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Under current law, the number of in-state students enrolled at public institutions of higher education is governed by various percentage limits and requirements. The bill standardizes the calculation for public research institutions in the following ways:

! Requires the university of northern Colorado (UNC) and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
3rd Reading Unamended
May 7, 2018

HOUSE
2nd Reading Unamended
May 4, 2018

SENATE
3rd Reading Unamended
April 12, 2018

SENATE
Amended 2nd Reading
April 11, 2018

the Colorado school of mines (CSM), in addition to the university of Colorado (CU) and Colorado state university (CSU), to admit 100% of academically qualified Colorado first-time freshman students;

- ! Reduces the various percentages so that in-state students make up no less than 55% of total enrollments at each campus of CU and at CSU, UNC, and CSM, excluding foreign students and students enrolled solely in online courses; and
- ! Increases the cap on foreign students enrolled at CU and CSU to 15% of total student enrollment and includes UNC and CSM in the percentage limit.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds that:

4 (a) Colorado is committed to keeping the cost of attending college
5 affordable for resident students at Colorado's research institutions of
6 higher education;

7 (b) Tuition revenue from nonresident students improves the
8 affordability and quality of education for Colorado's resident students;

9 (c) Educating resident students is the paramount role of all of
10 Colorado's public institutions of higher education;

11 (d) Colorado's research institutions will continue to be required by
12 law to admit all qualified resident students who apply to their institutions;

13 (e) Accepting additional qualified nonresident and international
14 students will have no impact on the ability of research institutions to
15 accept qualified resident students;

16 (f) Resident enrollment growth and the number of Colorado high
17 school graduates is projected to fluctuate, peak, and decline in the future,
18 causing some public research institutions of higher education to turn away
19 nonresident students who help subsidize costs and improve college

1 affordability for resident students because of the current formula; and
2 (g) International students greatly add to the cultural and
3 intellectual diversity on research campuses.

4 (2) Therefore, the general assembly declares that changes to
5 admissions percentages relating to nonresident and international students
6 is beneficial for the financial stability of Colorado's research institutions
7 and improves college affordability for resident students.

8 **SECTION 2.** In Colorado Revised Statutes, 23-1-113.5, **amend**
9 (4)(a); and add (4)(d) as follows:

10 **23-1-113.5. Commission directive - resident admissions -**
11 **definitions.** (4) (a) The provisions of subsection (1) of this section
12 regarding the percentage and fraction of students who are in-state
13 students, as defined in section 23-7-102 (5), ~~shall~~ DO not apply to the
14 university of Colorado system, ~~or to~~ Colorado state university, THE
15 UNIVERSITY OF NORTHERN COLORADO, OR THE COLORADO SCHOOL OF
16 MINES if the following requirements are met:

17 (I) The percentage of incoming freshmen admitted to the
18 institution who are in-state students calculated on a three-year rolling
19 average and excluding foreign students, is not less than fifty-five percent;

20 (II) The ~~fraction~~ PERCENTAGE of students enrolled at each campus
21 of the university of Colorado system, ~~or~~ at Colorado state university, AT
22 THE UNIVERSITY OF NORTHERN COLORADO, OR AT THE COLORADO SCHOOL
23 OF MINES who are in-state students is not less than ~~two-thirds~~ FIFTY-FIVE
24 PERCENT of the total student enrollment at ~~the~~ EACH campus ~~or~~ OF THE
25 UNIVERSITY OF COLORADO SYSTEM, at Colorado state university, AT THE
26 UNIVERSITY OF NORTHERN COLORADO, OR AT THE COLORADO SCHOOL OF
27 MINES, respectively, including undergraduate and graduate students,

1 calculated on a three-year rolling average and excluding foreign students
2 AND STUDENTS ENROLLED SOLELY IN ONLINE COURSES;

3 (III) The institution continues to admit one hundred percent of all
4 Colorado first-time freshman applicants who meet the guaranteed
5 admissions criteria;

6 (IV) The percentage of in-state students admitted to each campus
7 of the university of Colorado system, TO THE UNIVERSITY OF NORTHERN
8 COLORADO, or to Colorado state university based on criteria other than
9 standardized test scores, high school class rank, and high school grade
10 point average pursuant to section 23-1-113 (1)(b) does not fall below the
11 average of the percentage admitted to the campus or to Colorado state
12 university, respectively, for the three preceding academic years; and

13 (V) The total number of foreign students enrolled at each specific
14 campus of the university of Colorado system, ~~or~~ at Colorado state
15 university, AT THE UNIVERSITY OF NORTHERN COLORADO, OR AT THE
16 COLORADO SCHOOL OF MINES does not exceed ~~twelve~~ FIFTEEN percent of
17 the total student enrollment, including undergraduate and graduate
18 students, enrolled at the campus, ~~or~~ at Colorado state university, AT THE
19 UNIVERSITY OF NORTHERN COLORADO, OR AT THE COLORADO SCHOOL OF
20 MINES, respectively.

21 (d) (I) (A) BEGINNING OCTOBER 15, 2018, AND NO LATER THAN
22 OCTOBER 15 EACH YEAR THEREAFTER, THE DEPARTMENT SHALL SUBMIT
23 A REPORT TO THE JOINT BUDGET COMMITTEE AND TO THE EDUCATION
24 COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND OF THE SENATE, OR
25 THEIR SUCCESSOR COMMITTEES, DEMONSTRATING THAT THE INSTITUTIONS
26 INCLUDED IN THIS SUBSECTION (4) HAVE MET RESIDENT ADMISSION AND
27 ENROLLMENT REQUIREMENTS SET FORTH IN THIS SECTION FOR THE PRIOR

1 FISCAL YEAR.

2 (B) NOTWITHSTANDING THE PROVISIONS OF SECTION 24-1-136
3 (11)(a)(I) OF THIS SECTION, THE REPORTING REQUIREMENTS IN
4 SUBSECTION (4)(d)(I)(A) OF THIS SECTION CONTINUE INDEFINITELY.

5 (II) THE DEPARTMENT AND THE INSTITUTIONS SHALL ENSURE THAT
6 THE DATA REQUIRED FOR THESE CALCULATIONS IS CONSISTENTLY
7 INCLUDED IN THE STATE'S STUDENT RECORDS DATABASE, INCLUDING DATA
8 ON THE NUMBER OF STUDENTS WITH IN-STATE CLASSIFICATION AND
9 OUT-OF-STATE CLASSIFICATION, THE NUMBER CLASSIFIED AS
10 INTERNATIONAL STUDENTS FOR PURPOSES OF THE CALCULATION, THE
11 RESIDENT AND NONRESIDENT STUDENTS CLASSIFIED AS ONLINE ONLY
12 STUDENTS FOR PURPOSES OF THE CALCULATION, AND THE NUMBER OF
13 STUDENTS CLASSIFIED AS COLORADO SCHOLARS PURSUANT TO
14 SUBSECTION (5) OF THIS SECTION. THE REPORT SHALL INCLUDE BOTH THE
15 NOMINAL NUMBERS OF STUDENTS IN EACH RELEVANT CATEGORY AND THE
16 CALCULATION DEMONSTRATING THE INSTITUTION'S COMPLIANCE WITH
17 THIS SECTION.

18 (III) AS PART OF THE REPORT REQUIRED PURSUANT TO THIS
19 SUBSECTION (4)(d), IN COLLABORATION WITH THE INSTITUTIONS, THE
20 DEPARTMENT SHALL DEMONSTRATE THAT THE INSTITUTIONS ARE
21 COMPLYING WITH THE PROVISIONS OF SECTION 23-1-113 (1)(a) THAT
22 REQUIRE THAT THE ACADEMIC ADMISSION STANDARDS FOR STUDENTS WHO
23 DO NOT HAVE IN-STATE STATUS, AS DETERMINED PURSUANT TO SECTION
24 23-7-103, ARE EQUAL TO OR EXCEED THOSE ESTABLISHED FOR
25 DETERMINING ADMISSION OF IN-STATE STUDENTS, AND THE
26 REQUIREMENTS OF 23-1-113.5 (4)(b) OF THIS SECTION, THAT REQUIRE
27 THAT CERTAIN INSTITUTIONS ANNUALLY REPORT INFORMATION

1 DEMONSTRATING THAT QUALIFIED IN-STATE STUDENTS ARE NOT
2 DISPLACED OR DENIED ADMISSION AS A RESULT OF THE PROVISIONS OF THIS
3 SUBSECTION (4).

4 **SECTION 3. Appropriation.** For the 2018-19 state fiscal year,
5 \$8,181,450 is appropriated to the department of higher education for use
6 by the regents of the university of Colorado. This appropriation is from
7 student tuition.

8 **SECTION 4. Act subject to petition - effective date.** This act
9 takes effect at 12:01 a.m. on the day following the expiration of the
10 ninety-day period after final adjournment of the general assembly (August
11 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
12 referendum petition is filed pursuant to section 1 (3) of article V of the
13 state constitution against this act or an item, section, or part of this act
14 within such period, then the act, item, section, or part will not take effect
15 unless approved by the people at the general election to be held in
16 November 2018 and, in such case, will take effect on the date of the
17 official declaration of the vote thereon by the governor.