

STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION

December 14, 2022

TOPIC: Legislative Update

PRESENTED BY:

Fiona Lytle, Chief Communications Officer, Legislative Liaison; Moira Cullen, The Capstone Group; and Jason Hopfer, JLH Public Affairs; and Mary Alice Mandarich

EXPLANATION:

Fiona and CCCS lobbyists will give the Board a brief summary of the following:

- Results of the 2022 Colorado election;
- Activities occurring at the Capitol;
- Priorities of the Governor's proposed budget for higher education and what we are anticipating for the December state revenue forecast reports;
- review CCCS's legislative priorities for the 2023 Session; and
- bills and initiatives on the horizon that will affect higher education.

Governor's Proposed Budget for Higher Education

On November 1st, Governor Jared Polis released his [budget proposal for FY-24](#). This is the first year we have seen a recommendation by the Governor around increased tuition flexibility. His proposal aims to keep resident tuition increases to less than half of inflation, meaning flexibility for institutions to raise resident tuition up to 4% compared to 8.3% inflation. Non-resident tuition was not capped, but a 5.5% increase was assumed.

To meet this tuition goal, his proposal included \$86 million in State General Fund for higher education, which equates to a 6.8% increase over Fy-23 levels. The \$86 million is broken down into three buckets:

- \$27 million will go through "Step 1" of the higher education funding formula to support "specified populations that may require more support to be successful". Step 1 is advantageous to CCCS because it benefits institutions that enroll higher numbers of underrepresented communities, low-income students, and first-generation students.
- \$42.85 million will go through "Step 2" of the higher education funding formula to that reflects performance metrics.
- \$16 million will go to state financial aid:
 - \$12.5 million in additional funds for need-based financial aid, a 6.8% increase
 - \$3 million in additional funds to the College Opportunity Scholarship Initiative (COSI)
 - \$0.5 million in additional funds to the Dependent Tuition Assistance Program

For CCCS, this proposal equates to \$17.2 million, a 7% increase over FY-23's allocation. \$10.4 million would derive from Step 1 and \$6.8 million would generate from Step 2. CCCS is supportive of this proposal will advocate to build up from Governor's proposed budget for higher education and continue to seek strategic funding opportunities for our rural colleges.

The Governor's budget also included \$129 million in Level 1 and 2 Controlled Maintenance projects across the state. At this point, it is unknown how many CCCS projects this covers, but higher education typically accounts for the majority of the projects that this funding supports (specific projects will be known in December).

Regarding CCCS's joint technology and capital development project requests, only Northeastern Junior College's (NJC) \$6.2 million continuation project for their applied technology expansion and remodel was recommended for funding. CCCS will continue to advocate for funding for other college projects, especially for continuation projects.

CCCS Summer Work and Priorities for the 2023 Session

Over the summer, the CCCS lobbying team met with all 13 college presidents, Chancellor Garcia, and CCCS executive staff to explore several topics that could be raised during the 2023 Colorado General Assembly. As each topic was reviewed, consensus was made to either partner with an outside organization to initiate legislative action, example the Colorado Department of Higher Education, or continue work on the topic internally prior to seeking a legislative fix. The list below reflects topics deliberated by CCCS and priorities heading into the 2023 Session:

Workforce Development:

- In early fall, the Wildlife Matters Interim Committee approved a [Forestry and Wildfire Mitigation Workforce bill](#), where CCCS is slated to receive \$2 million to build and expand degree or certificate programs in forest health and management, including wildfire mitigation in order to support the timber, forest health, and wildfire mitigation workforce.

Increasing Access:

- **Concurrent Enrollment:** CCCS Colleges working internally with respective school district partners to evaluate where CE students are being charged for course materials (fees, books, lab equipment, etc.) and opportunities to mitigate.
- **Selective Service Question on College Applications:** CCCS is partnering with CDHE to repeal [SB03-255](#) (this bill requires students, who were assigned male at birth and are between the ages of 17 years, to certify that they have registered with the U.S. Selective Service System before they're allowed to enroll in classes at a state-supported institution). All public institutions of higher education ask for this confirmation on college application forms, and it can serve as an additional and unnecessary barrier to students. Since this requirement was removed from federal financial aid rules, it doesn't make sense to continue this process on applications.

Meeting Students Where They Are:

- **Educating Colorado's Prison Population:** CCCS is working with CDHE to update CCHE policies to count incarcerated students as resident FTE. Background: Under C.R.S. 21-1-105(1), CCHE is given authority to formulate policies for counting and classifying FTE.

CCCS is also discussing the concept of aligning state fiscal supports, i.e., COF and state aid, for justice-involved/incarcerated individuals with federal rules that allow Pell to these individuals. Background: The U.S. Dept. of Ed recently released [final regulations](#) that will reinstate Pell Grant eligibility for individuals in prison (set to begin next summer).

Currently, colleges that provide courses/programs to incarcerated students are not able to count students as resident FTE (full-time equivalent) and students are not able to access COF (Colorado Opportunity Fund). These factors reduce revenue to colleges and makes it difficult to serve this population. Addressing these two issues will help higher ed deliver more programs and better serve incarcerated students across the state.

Evaluating and Ensuring Transferability of Statewide Articulation Agreements:

- CCCS Colleges are working with four-year college and university partners to review transfer equivalency of credit for Degrees with Designation (DWDs) and resolve any barriers to support efficient paths to completion for students. Example: CCD commencing study with CU-Denver and Metro.

Expanding Bachelor's Degree Authority:

- To meet ever-growing workforce demands and to increase affordable educational and career advancement opportunities for students, CCCS will focus resources on launching several Bachelor of Applied Science (BAS) degree programs in high-demand fields, including Business, Education, and Construction Management. CCCS will continue to evaluate the need to further expand to Bachelor of Arts (BA) and Bachelor of Science (BS) degree programs.

Safeguarding Amendment 50 and 77 Distributions for Community Colleges:

- Per the study group initiated by [SB22-216 Reallocation Of Limited Gaming Revenues](#), CCCS will work to safeguard constitutional amendments passed by voters to benefit community college students. Background: Under the extended gaming fund created by Amendment 50 in 2008, 78% of state tax revenues generated by increased limits, games, and hours are distributed to community colleges to supplement existing state funding for student financial aid programs and classroom instruction programs. Under Amendment 77 passed by voters in 2020, expenditures from the extended limited gaming fund to the state's public community colleges could be spent on programs that improve student retention and increase completion of credentialed programs.

Aligning State Statute with CCHE Policy

- On July 29, 2022, CCHE amended its policy on Service Areas by eliminating designated geographical service boundaries for two-year mission institutions. Consequently, [HB18-1052 Exception To 2-year Higher Education Service Areas](#) is no longer necessary (past legislation led by CCCS in 2018 for right of first refusal concerning Concurrent Enrollment). CCCS is working with CDHE and the Statutory Revision Committee to repeal.

RECOMMENDATION:

No Board action required.

ATTACHMENT(S):

2022 Colorado Election Results