



APS 8012 - Special Tuition Status

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Policy Profile

Policy Title:	Special Tuition Status
APS Number:	8012
APS Functional Area:	Fiscal
Effective:	July 1, 2013
Approved by:	President Bruce D. Benson
Responsible University Officer:	Vice President and Chief Financial Officer
Responsible Office:	Vice President and Chief Financial Officer
Policy Contact:	Budget and Finance Office
Supersedes:	Special Tuition Status, July 20, 2012
Last Reviewed/Updated:	July 1, 2013
Applies to:	University wide or as specifically defined by each policy section.

Brief Description: Sets forth university requirements for extension of special tuition status to individuals not meeting common in-state definitions. This Administrative Policy Statement encompasses all special tuition status requirements as outlined in the following policy sections:

Special Tuition Status Sections	Applies To	Section
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In-State Tuition Status for Honorably Discharged Military Members and their Dependents	All Campuses	1
In-State Tuition Status for Dependents of Active Duty Military Members	All Campuses	2
In-State Tuition Status for Students who Move to Colorado as the Result of an Economic Development Incentive	All Campuses	3
In-State Classification at Institutions of Higher Education For Students Who Complete High School in Colorado	All Campuses	4

Reason for Policy: This policy has been developed to consolidate the circumstances under which special tuition status may be offered to students who do not otherwise fulfill the domicile requirements for in-state tuition at the University of Colorado.

Section 1 ? In-State Tuition Status for Honorably Discharged Military Members and their Dependents

Policy Snapshot

Brief Description: This policy is established to meet the University's statutory requirements and to implement a pilot program as set forth in HB 09-1039, the "G.I. Promise Act."

Applies To: All Campuses

I. Introduction

HB 09-1039, the "G.I. Promise Act," was enacted by the Colorado General Assembly and signed into law by the Governor in May 2009. This law requires governing boards of state institutions of higher education to adopt a policy that will provide in-state tuition status to honorably discharged members of the armed forces of the United States that have been domiciled in Colorado, as defined in the tuition classification statutes, for any period of time. Additionally, the Board of Regents passed a resolution in February 2012 authorizing the campus chancellors to implement a pilot program pursuant to HB 09-1039 to offer in-state tuition status to students who are dependents of honorably discharged members of the armed forces who have resided in Colorado for any period of time prior to enrollment, who can otherwise establish domicile in Colorado, and who have previously attended at least two years of high school in Colorado.

II. Policy Statement

- Beginning with the Fall semester of the 2009-2010 academic year, the campuses shall

provide in-state tuition status to any student that enrolls in the University; provides documentation that he or she has been honorably discharged from the armed forces of the United States; and meets, for any length of time, the presumptions and rules for maintaining a domicile in Colorado - per C.R.S. § 23-7-101 et seq.

- Beginning with the summer semester of the 2011-2012 academic year, campus chancellors may implement a pilot program pursuant to HB 09-1039 to offer in-state tuition status to students who are dependents of honorably discharged members of the armed forces who have resided in Colorado for any period of time prior to enrollment, who can otherwise establish domicile in Colorado, and who have previously attended at least two years of high school in Colorado.

III. History

Initial Policy Effective: July 1, 2009

IV. Key Words

statute, promise, act, in-state, tuition, honorably, discharged, armed forces, military, veteran, armed forces, CRS 23-7-101, army, navy, marine, coast guard, air force

Section 2 ? In-State tuition status for dependents of active duty military members

Policy Snapshot

Brief Description: This policy implements state statute which provides in-state tuition status for dependents of a member of the armed forces when the member moves to Colorado on a permanent change-of-station basis.

Applies To: All Campuses

I. Introduction

HB 12-1350 was enacted by the Colorado General Assembly and signed into law by the Governor on June 8, 2012. This law allowed governing boards of institutions of higher education in Colorado to provide in-state tuition status to a dependent of an active duty member of the armed forces of the United States if the dependent enrolls in the institution and graduated from a high school outside of Colorado, so long as the dependent completed at least two years of high school in Colorado within five years prior to enrollment in the institution of higher education.

Subsequently, HB 13-1194 was enacted by the Colorado General Assembly and signed into

law by the Governor on May 28, 2013. The revised statute provides in-state tuition status for dependents of a member of the armed forces when the member moves to Colorado on a permanent change-of-station basis, regardless of the length of the member's or dependent's residency in Colorado. The statute also outlines the definition of dependent and the requirements to maintain such status.

II. Policy Statement

Beginning with the Fall semester of the 2013-2014 academic year, campuses shall provide in-state tuition status for dependents of an active duty member of the armed forces when the member moves to Colorado on a permanent change-of-station basis, regardless of the length of the member's or dependent's residency in Colorado.

Furthermore, after qualifying for in-state tuition status, the member and/or their dependent(s) shall not lose their eligibility if the member retires or separates from the military.

For purposes of this policy, *dependent* means:

- a spouse or *civil union partner*¹ of a member of the armed services who was the member's spouse or *civil union partner* at the time that the member was stationed in Colorado and at the time the spouse or *civil union partner* is requesting in-state tuition status; or
- any child under 22 years of age born to or legally adopted by the member of the armed forces who enrolls in a public institution of higher education within ten years after the member was stationed in Colorado.

III. History

- Initial Policy Effective: July 20, 2012
- The term *civil union partner* was added in May 2014 to reflect new State law regarding Civil Unions.

IV. Key Words

in-state, tuition, active, duty, HB12-1350, armed forces, military, army, navy, marine, coast guard, air force, 23-7-108.7

Section 3 ? In-State Tuition Status for Students who Move to Colorado as the Result of an Economic Development Incentive

Policy Snapshot

Brief Description: This establishes the administrative policies and procedures necessary to implement the creation of a program to provide in-state tuition status for students who move to Colorado for state economic development incentives, as allowed pursuant to C.R.S. § 23-7-109 and approved by the Board of Regents

Applies To: All Campuses

I. Introduction

C.R.S. § 23-7-109 allows governing boards of state institutions of higher education to provide in-state tuition status to students who move to Colorado as a result of state or local economic incentives, as well as to students whose parents or legal guardians move to Colorado to take a faculty position at a state supported institution of higher education. In order to provide this benefit to students who move to Colorado as a result of economic development incentives offered to employers to relocate all or a portion of their operations to the state, the following policy and procedures must be established to ensure this classification is appropriately applied.

II. Policy Statement

Eligibility requirements for Residency for Economic Development Incentives Program:

- A. Student must meet the general requirements established in **C.R.S. § 23-7-109**;
- B. Student must complete the appropriate campus form for the Residency for Economic Development Incentives Program, to include at a minimum:
 1. Name;
 2. Student ID;
 3. Name of Student's Parent or Legal Guardian (if requesting residency as the child² of a parent or legal guardian who was relocated to Colorado by a company);
 4. The date of the relocated employee's hire with the relocated company; and
 5. The date the student or the student's parent/guardian was relocated to Colorado.
- C. Student must obtain a letter of verification from the company that relocated the student or the student's parent/guardian to Colorado. The documentation must provide:
 1. Company Name;
 2. Specific reference to the state or local economic incentive awarded;
 3. Employee Name; and
 4. Employee date of hire with the company

III. Contacts

- A. For questions or more information on the Residency for Economic Development

Incentives Program - contact your campus tuition classification officer.

- B. For questions or more information on state and local economic incentive programs, contact the Colorado Office of Economic Development and International Trade at 1625 Broadway Street, Ste. 2700 Denver, CO 80202 or by phone at (303) 892-3840.
- C. For questions or interpretation of this policy statement, contact the Office of the Vice President and Chief Financial Officer.

IV. History

Initial Policy Effective: July 1, 2009

V. Key Words

statute, CRS 23-7-109, economic, development, incentive, faculty, residency, resident, benefit, domicile, covell, dependent

Section 4 ? In-State Classification at Institutions of Higher Education For Students Who Complete High School in Colorado

Policy Snapshot

Brief Description: This establishes the administrative policies and procedures necessary to implement the creation of a program to provide in-state tuition status for students who complete high school in Colorado, per C.R.S. § 23-7-110.

Applies To: All Campuses

I. Introduction

C.R.S. § 23-7-110 requires an institution of higher education in Colorado to classify a student as an in-state student for tuition purposes if a student, other than a nonimmigrant alien:

- Attends a public or private high school in Colorado for at least 3 years immediately preceding graduation or completion of a general equivalency diploma (GED) in Colorado; and
- Is admitted to a Colorado institution or attends an institution under a reciprocity agreement within twelve months after graduation or completion of a general equivalency diploma (GED) in Colorado.

In addition to the above requirements, a student seeking in-state tuition status, who does not have lawful immigration status must submit an affidavit stating that the student has applied for

lawful presence or will apply as soon as he or she is able to do so.

- Such student shall not be counted as a resident student for any other purpose than tuition classification, but the student is eligible for the college opportunity fund stipend pursuant to the provisions of that program, upon confirmation of the student's uniquely identifying student number provided by the local education provider where the student graduated high school or received their GED.
- Such student may be eligible for institutional or other private financial aid programs.
- The affidavit shall be treated as an education record of the student under the provisions of the Federal Family Educational Rights and Privacy Act of 1974, 20 U.S.C. Sec. 1232g.

The bill creates an exception to the requirement of admission to an institution within 12 months after graduating or completing a GED for certain students who either graduated or completed a GED prior to September 1, 2013 and who have been continuously present in Colorado for at least 18 months prior to enrolling in an institution.

Any information provided by the student to satisfy the eligibility criteria shall be confidential, unless disclosure is explicitly required by law.

The bill exempts persons receiving educational services or benefits from institutions of higher education from providing any required documentation of lawful presence in the United States.

II. Policy Statement

Campuses shall follow the specific provisions related to in-state classification at institutions of higher education for students who complete high school in Colorado per C.R.S. § 23-7-110.

III. Contacts

For questions or interpretation of this policy statement, contact the Office of the Vice President and Chief Financial Officer.

IV. History

Initial Policy Effective: July 1, 2013

V. Key Words

Asset, immigrant, immigration, in-state, tuition

1. The term *civil union partner* was added in May 2014 to reflect new State law regarding Civil Unions.
2. Child must be a minor as defined by C.R.S. § 23-7-102

Groups audience:

Office of Policy and Efficiency (OPE)

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