

CHAPTER 345

EDUCATION - UNIVERSITIES AND COLLEGES

HOUSE BILL 93-1236

BY REPRESENTATIVES Agler, Kerns, Anderson, Hagedorn, and Keller;
also SENATORS Owens and Tebedo.

AN ACT

CONCERNING THE CLASSIFICATION OF STUDENTS FROM COUNTRIES WITH NONDEMOCRATIC TRADITIONS WHO ARE ENROLLED IN CERTAIN GRADUATE PUBLIC POLICY PROGRAMS AT STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION.

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

SECTION 1. Article 7 of title 23, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

23-7-107. Tuition classification of Chinese and Russian students in graduate public policy programs. (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE TO THE CONTRARY, BUT SUBJECT TO SUBSECTIONS (4) AND (5) OF THIS SECTION, UP TO A TOTAL OF TWENTY-FIVE STUDENTS DESERVING OF FINANCIAL SUPPORT PER YEAR FROM THE COMMONWEALTH OF INDEPENDENT STATES AND THE PEOPLE'S REPUBLIC OF CHINA, FIVE OF WHOM SHALL BE OF TIBETAN NATIONALITY, IF POSSIBLE, WHO ARE ENROLLED IN A QUALIFYING MASTER'S PROGRAM AT A GRADUATE SCHOOL OF PUBLIC AFFAIRS AT A STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION MAY BE CLASSIFIED AS IN-STATE STUDENTS FOR PURPOSES OF TUITION AT SUCH INSTITUTION. THE TOTAL NUMBER OF STUDENTS ENROLLED UNDER THIS SECTION MAY NOT EXCEED FIFTY. TO QUALIFY FOR IN-STATE CLASSIFICATION PURSUANT TO THIS SECTION, SUCH STUDENTS MUST BE ENROLLED IN A MASTER'S PROGRAM WHICH FOCUSES ON DEVELOPING SUCH STUDENTS' UNDERSTANDING OF DEMOCRACY AND WHICH WILL ENABLE THEM TO APPLY THE DOCTRINES OF DEMOCRACY AND FREE-MARKET PRINCIPLES UPON RETURNING TO THEIR RESPECTIVE COUNTRIES, SUCH STUDENTS MUST MEET THE ACADEMIC REQUIREMENTS OF SUCH PROGRAM, AND SUCH STUDENTS MUST MEET THE REQUIREMENTS STATED IN SUBSECTION (3) OF THIS SECTION. IN ADDITION, SUCH STUDENTS SHALL PLAN, FOLLOWING GRADUATION, TO RETURN TO THEIR RESPECTIVE COUNTRIES TO APPLY THE

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

KNOWLEDGE OBTAINED FROM SUCH MASTER'S PROGRAM.

(2) TO RECEIVE IN-STATE CLASSIFICATION PURSUANT TO THIS SECTION, A STUDENT SHALL ANNUALLY SUBMIT AN APPLICATION TO THE GRADUATE SCHOOL OF PUBLIC AFFAIRS AT THE UNIVERSITY OF COLORADO AT DENVER. THE DEAN AND FACULTY COUNCIL OF SUCH GRADUATE SCHOOL OF PUBLIC AFFAIRS SHALL ANNUALLY DETERMINE THOSE STUDENTS WHO MAY RECEIVE IN-STATE CLASSIFICATION BASED ON EACH STUDENT'S SATISFACTION OF THE REQUIREMENTS STATED IN THIS SECTION. UPON DETERMINING WHICH STUDENTS MAY RECEIVE IN-STATE CLASSIFICATION, THE DEAN OR THE FACULTY COUNCIL SHALL NOTIFY SUCH STUDENTS AND THE STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION AT WHICH SUCH STUDENTS ARE ENROLLED. NOTIFICATION SHALL BE MADE NOT LATER THAN JULY 1 OF EACH YEAR IN WHICH SUCH STUDENT RECEIVES IN-STATE CLASSIFICATION PURSUANT TO THIS SECTION.

(3) TO BE ELIGIBLE FOR IN-STATE CLASSIFICATION PURSUANT TO THIS SECTION, EACH STUDENT MUST BE ENROLLED AS A FULL-TIME STUDENT AND MUST MAINTAIN A FULL-TIME PRINCIPAL RESIDENCE IN THIS STATE DURING THE TIME SUCH STUDENT IS ENROLLED. ELIGIBILITY FOR IN-STATE CLASSIFICATION FOR EACH STUDENT SHALL TERMINATE AT THE TIME SUCH STUDENT RECEIVES A DEGREE FROM THE PROGRAM IN WHICH SUCH STUDENT WAS ENROLLED AT THE TIME SUCH IN-STATE CLASSIFICATION WAS FIRST RECEIVED.

(4) NO STUDENT ADMITTED PURSUANT TO THIS SECTION SHALL BE ADMITTED IN LIEU OF A QUALIFIED COLORADO RESIDENT WHO IS APPLYING TO A QUALIFIED MASTERS PROGRAM AT THE GRADUATE SCHOOL OF PUBLIC AFFAIRS AT THE UNIVERSITY OF COLORADO AT DENVER.

(5) NO STUDENT CLASSIFIED AS AN IN-STATE STUDENT PURSUANT TO THIS SECTION SHALL BE COUNTED AS A RESIDENT STUDENT FOR ANY PURPOSE OTHER THAN TUITION CLASSIFICATION.

(6) THE GOVERNING BOARD OF EACH STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION MAY GRANT IN-STATE TUITION STATUS TO STUDENTS CLASSIFIED PURSUANT TO THIS SECTION.

(7) ON OR BEFORE JANUARY 1, 1996, THE DEAN AND THE FACULTY COUNCIL OF THE GRADUATE SCHOOL OF PUBLIC AFFAIRS AT THE UNIVERSITY OF COLORADO AT DENVER SHALL SUBMIT A WRITTEN REVIEW OF THE TUITION CLASSIFICATION PROGRAM ESTABLISHED PURSUANT TO THIS SECTION TO THE COLORADO COMMISSION ON HIGHER EDUCATION AND TO THE CHAIRMEN OF THE EDUCATION COMMITTEES OF REFERENCE IN THE HOUSE OF REPRESENTATIVES AND THE SENATE.

SECTION 2. No appropriation. The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 9, 1993